

**INMATE
ADMISSION & ORIENTATION
HANDBOOK**



FCI/FPC MCDOWELL, WV

**FCI McDowell, WV
Inmate Information Handbook
Federal Bureau of Prisons**

Introduction

The purpose of this handbook is to provide inmates arriving at FCI/FPC McDowell with information regarding the Bureau of Prisons (BOP), its programs, and the rules and regulations they will encounter during confinement. It is not a specific guide to the detailed policies of the BOP. Rather, the material in this handbook will help new inmates more quickly understand what they will be encountering when they enter prison, and hopefully assist them in their initial adjustment to incarceration at FCI/FPC McDowell. This information will be made available during the institution's Admission and Orientation Program.

INTAKE, CLASSIFICATION AND THE UNIT TEAM

Orientation

Inmates are given a social screening by Unit Management staff and medical screening by Health Services staff at the time of arrival and later by the Mental Health staff. Inmates are immediately provided with a copy of the institution rules and regulations, which include information on inmate rights and responsibilities.

Upon arrival inmates will participate in the Admission and Orientation (A&O) Program. While in A&O, inmates are advised of the programs, services, policies and procedures regarding the facility. In addition, they will receive information from staff regarding departmental programs and operations.

Classification Teams (Unit Teams)

FCI McDowell is organized into a Unit Management system. A unit is a self-contained inmate living area that includes both housing sections and office space for unit staff. Each unit is staffed by a Unit Team directly responsible for the inmates living in the unit. The unit offices are located in the units so staff and inmates can be accessible to each other. The unit staff typically includes a Unit Manager, Case Manager, Correctional Counselor and Unit Secretary. The Staff Psychologist, Education Advisor and Unit Officer are considered members of the Unit Team, and they provide input for classification purposes.

Inmates are assigned to a specific Unit Team. Generally, the resolution of issues or matters of interest while at the institution are most appropriately initiated with the Unit Team. Unit Team members are available to assist in many areas, including parole matters, release planning, personal and family problems, counseling and assistance in setting and attaining goals while in prison. Ordinarily, a member of the unit staff will be at the institution from 7:30 a.m. to 9:00 p.m., and during the day on weekends and holidays. The Unit Team usually schedules their working hours to ensure one team member will be available when inmates are not working.

GENERAL FUNCTIONS OF UNIT STAFF

Unit Manager: The Unit Manager is the administrative head of the general unit and oversees all unit programs and activities. He/She is a Department Head at the institution and has a close working relationship with other departments and personnel. The Unit Manager is the “Chairperson” of the team which comprises the Case Manager, Correctional Counselor, with input from Education and Psychology. The Unit Manager reviews all team decisions, and chairs the Unit Discipline Committee, which is a body that hears disciplinary infractions.

Case Manager: The Case Manager is responsible for all casework services and prepares classification material, progress reports, release plans, correspondence and other materials relating to the inmate’s commitment. The Case Manager serves as a liaison between the inmate, the administration and the community. The Case Manager serves as a member of the Unit Discipline Committee.

Correctional Counselor: The Counselor provides counseling and guidance for the inmates of the unit in areas of institutional adjustment, personal difficulties and plans for the future. He/She plays a leading role in segments of unit programs relating to inmate activities. The Counselor will visit inmate work assignments regularly to assess work performance. The Counselor serves as a member of the Unit Discipline Committee.

Unit Secretary: The Unit Secretary performs clerical and administrative duties.

Unit Officer: The Unit Officers have direct responsibility for the daily supervision of inmates and the enforcement of rules and regulations. They have safety, security and sanitation responsibilities in the unit. Unit Officers are in regular contact with inmates in units and are encouraged to establish professional relationships with them, as long as such interaction does not interfere with their primary duties. Unit Officers are supervised by the Correctional Services Department with input from the Unit Manager.

Communications

There will be a unit staff member available each day of the week and most evenings until 9:00 p.m. The unit bulletin boards contain written communication of interest to inmates. The Unit Managers will utilize monthly Town Hall meetings, dispense information and foster improved communications.

Program Reviews

Inmates initially designated to the institution will receive initial classification within 28 days of arrival. Subsequent program reviews will be held every 90 to 180 days depending upon release date. These are held by the Unit Team to review programs, work assignments, transfers, custody, institutional adjustment, etc. The inmate may not waive appearance with the Unit Team.

Town Hall Meetings

Town Hall meetings are held monthly in each unit. These meetings are held to make announcements and to discuss changes in the policy and procedures of the unit. Inmates are encouraged to ask pertinent questions of the staff and any guest speakers who are present. These questions should pertain to the unit as a whole, rather than personal questions or problems. Personal problems will be resolved by unit staff during the regular working hours which are posted in each unit. An "Open Door" policy is usually in effect at those times.

Team Participation in Parole Hearing

The Case Managers prepare Progress Reports with input from the Unit Team, and compile other information in the inmate's central file for presentation to the U.S. Parole Commission.

The inmate's Case Manager will ordinarily be present at the inmate's parole hearing. The Case Manager's function at the hearing is to assist the parole examiners, not as a staff representative for the inmate.

Treaty Transfer for Non-U.S. Inmates

Inmates who are not U.S. citizens may be eligible for a transfer to their home country to serve the remainder of their sentence. This is possible for inmates whose country has a formal prisoner exchange treaty with the United States. The Unit Team will provide information about these transfers and will inform inmates if their home country has a formal exchange treaty with the United States.

Foreign Consulars

The most recent publication of the "Consular Notification and Access" directory is located in the Law Library. In the event you are from another country or nation and wish to contact a diplomatic representative from your country, please see the Law Library Clerk to assist you in reviewing this directory. If you have any questions or concerns, please contact your unit team.

DAILY INMATE LIFE

Sanitation

It is the inmate's responsibility to check his cell immediately after being assigned there and report all damages to the Unit Officer, Case Manager, or Correctional Counselor. An inmate

may be held financially liable for any damage to his personal living area.

Each inmate is responsible for making his bed in accordance with posted regulations before work call (including weekends and holidays when he leaves the area). Each inmate is also responsible for sweeping and mopping his cell floor, removing trash and ensuring it is clean and sanitary. Cardboard boxes and other paper containers are not permitted for storage due to their combustible nature. Lockers must be neatly arranged inside and out, and all shelving must be neat and clean. Toothpaste, toothbrushes, combs, razors and soap are issued by the institution. Inmates may purchase name brand items through the commissary. Linens may be exchanged once a day.

Personal Property Limits

Items which may be retained by an inmate are limited for sanitation and security reasons, and to ensure excess personal property is not accumulated which would constitute a fire hazard or impair staff searches of the cell. The following list is not all-inclusive, but is a guide to the kind of items an inmate may be authorized: legal materials (limited to active cases only), 5 - books, 1- photo album, and 2 - deodorant. For an inclusive list refer to the FCI McDowell Institution Supplement pertaining to Inmate Personal Property.

Storage Space

Storage space in the units consists of an individual locker. Locks may be purchased in the institution commissary. The amount of personal property allowed each inmate is limited to those items which can be neatly and safely placed in the locker. Under no circumstance will any materials be accumulated to the point where they become a fire, sanitation, security or housekeeping hazard.

Clothing

Civilian clothing of any type, except athletic apparel, is not authorized. All clothing, except undergarments will be tagged with a label indicating your name/Reg. No. which identifies your items and is to be neatly stored in the individual locker. Individual washcloth and towels are issued to inmates. Authorized footwear includes: one pair of safety boots. Footwear will be placed neatly under the bed.

Special Purpose Items

Special Purpose items will be authorized only to the point where they can be contained in the storage area provided for personal property.

Legal Materials

Inmates are allowed to maintain legal materials, which are limited to active cases, in their locker.

Hobby Craft Materials

Hobby shop raw materials and projects will be stored in Recreation. Disposal of completed hobby craft work must be arranged through Recreation staff immediately after completion of the craft. The completed hobby craft will only be sent to those people on the inmate's visiting list.

Commissary Items

The total value of an inmate's accumulated Commissary items (including special purchases) will be limited to the monthly spending limit of \$320.00.

Food Storage

Food items left open create a health hazard. These items must be properly sealed at all times. Empty jars may not be used as drinking containers and are to be thrown away. Empty containers may not be used for any purpose except the original intended purpose.

Letters, Books, Photographs, Newspapers, and Magazines

An inmate will be limited in the number of magazines and newspapers that can be stored in their locker provided in each cell. The limit for magazines is no more than five (5) in one's possession and no older than 3 months. Local newspapers are not allowed after they are three (3) days old and non-local newspapers may be retained for a period of ten (10) days. Only picture frames sold in the Commissary may be displayed. Nothing is to be tacked, stapled or scotch taped to any surface except to bulletin boards unless **authorized by Unit Team**.

Sports and Musical Equipment

A limited amount of sports equipment may be maintained in the unit. Sports and recreation equipment will be available for inmate use in the Recreation Department.

Radios and Watches

An inmate may not own or possess more than one (1) approved radio and/or watch at anyone time. Proof of ownership, through appropriate property receipts, will be required. Radios with a tape recorder and/or tape player are not authorized. Radios will be inscribed with the inmate's registration number. Only walkman-type radios are permitted, and headphones are required at all times. While an inmate is in holdover status he may not purchase, own or possess a radio or watch. Inmates may not give any items of value to another inmate, i.e., radio, watch, shoes and Commissary items.

Jewelry

Inmates may have a plain wedding band (without stones) and, with prior approval from Religious Services staff, a religious medal without stones. **All wedding bands, Jewelry will have a dollar value of \$100.00 or less.**

Smoking

The use of any Tobacco product by any inmate is strictly prohibited.

The institution conducts Smoking Cessation programs for the inmate population. Inmates wishing to participate may submit an Inmate Request to Staff Member form to the Psychology Department. Program participation will be scheduled contingent upon population requests. The program participation will address nutrition, physical activity, stress management and nicotine replacement therapy.

Quarters Rules:

In order to minimize maintenance costs, permit uniform inspection, search procedures, and maintain orderly congregate living, the institution has imposed reasonable regulations on inmate conduct and furnishings in housing units. Unit Officers and Counselors inspect cells daily and publish individual ratings of appearance.

The rules include items such as:

All beds are to be made daily in the prescribed manner. Beds will be made by 7:30 a.m. during the weekday. On weekends and holidays, beds will be made whenever inmates are awake or away from the cell. At no time will a mattress be removed from a bunk and placed on the floor. If a cell or room is not acceptable, disciplinary action will be taken.

Unit meal rotation is based on weekly sanitation ratings of each unit. The unit with the highest sanitation is called first and the unit with the lowest rating is called last.

Cell doors are closed when inmates are not in them.

Each inmate is responsible for the cleaning and sanitation of his cell. Additionally, inmates are assigned cleaning tasks in the unit during off hours.

Orderlies work 40 hour weeks and are responsible for the unit sanitation. However, everyone is responsible for cleaning up after themselves. Trash receptacles and wastebaskets are to be emptied prior to 8:00 a.m. each day.

Provocative pictures, posters, cartoons, and any items cut out of magazines may not be displayed at anytime or area of this institution.

Showers are available every day, but inmates may not be in the shower during an official count. Food Service workers and others with irregular work shifts may shower during the day as long as showering does not interfere with the cleaning of the unit.

Safety shoes must be worn to work as designated in policy.

Unit televisions may be viewed during established off-duty hours, which generally coincide with the hours rooms are unlocked in the facility. The Unit Officer is the only person who can change the television which is on a designated channel. Specific television viewing hours may be affected differently in the specialized program units. A radio and headphones must be used for television viewing. Personal radios may be played in an individual's cell, but headphones must be worn.

Wake-up

A general wake-up for all inmates is 6:00 a.m. The units will be called to breakfast by Correctional Services staff on the basis of a meal rotation. The Unit Officer will announce breakfast when notified, and the Control Center will announce meal times. Inmates are given a reasonable amount of time to leave the unit if they desire breakfast. It is the inmate's responsibility to leave the unit for work. Those inmates who are unable to maintain rooms or arrive at work on time are subject to disciplinary action.

Clothing Exchange & Laundry

All issued clothing, linen, towels, etc., are exchanged on a one-for-one basis at the Laundry Room. The schedules for exchange are posted on unit bulletin boards.

Commissary

Inmate funds are retained by the institution in a trust fund account. Funds from the individual account may be withdrawn by use of a commissary card for personal spending in the institution Commissary. Funds may be withdrawn from the account for family support, or other approved purposes. Accumulated institution earnings and funds sent from outside are given to the inmate upon release, or may be mailed home.

The Commissary access time for inmates in each unit is scheduled on a daily basis. The schedule is posted in the unit and on the Commissary item sheet. It is the inmate's responsibility to know the amount of money available in his Commissary account. Inmates may check on the balance in their account by using the Trufacs Machine.

Borrowing commissary items from other inmates is not allowed. Special purpose items such as a watch or radio requires approval of a Unit Team Member.

Spending Limitations

Inmates are permitted to spend up to \$320.00 each month for purchases. Each inmate account is “validated,” meaning the beginning of the spending period. Validation dates are spaced out using a system linked to inmate registration numbers; this spreads spending activity evenly throughout the inmate population each month. See the Commissary Bulletin Board for the Validation Schedule.

Deposits to Accounts:

Deposits to commissary accounts from outside sources will be made through the inmate LOCKBOX system (See Funds Received Thru Mail Section). Deposits may be made in the form of U.S. Postal Money Orders, Western Union Money Orders, U.S. Treasury Check, or State Check (check or money order must be made out in the inmate’s name and the inmate’s registration number must be included), or cash (not recommended). All other types of domestic money orders and checks will be held for at least fifteen (15) days before being posted to the inmate’s account. All non-domestic or foreign checks will be held for forty-five (45) days before being posted.

Commissary Fund Withdrawals

A standard form is provided by the institution for the withdrawal of inmate funds from Commissary accounts. Unit Managers can approve withdrawals from the trust fund account to send funds to dependants and other family members, or for the purchase of flowers, payment of telegraph, postage costs, and for the purchase of special discharge clothing. The Unit Manager can also approve withdrawals for the payment of fines, restitution for losses, legitimate debts and other obligations such as court fees, attorney fees, birth certificates, expenses, trips, bedside visits, funeral trips and the purchase of legal books. Only the Associate Warden of Programs can approve inmate contributions to recognized charities and withdrawals exceeding \$250.00. Withdrawals for education and leisure time items are approved by the Supervisor of Education.

SECURITY PROCEDURES

Attire

Inmates will be in the proper uniform, (khaki pants and khaki shirt), Monday thru Friday, between 7:30 a.m. and 3:30 p.m. at the FCI. The attire for the FPC will be green pants and green shirt during Monday thru Friday working hours. The uniform will be maintained in a neat and professional manner, with shirt tucked in and pants around the waist line. Wearing of pants below the waist line, pants leg cuffed up to the ankle or higher or leaving the shirt untucked may result in disciplinary action. Other than approved religious headgear, hats will not be worn while indoors.

Inmate Identification Cards

All inmates are required to wear the color coded inmate identification cards at all times upon departing their assigned cell. The inmate identification card will be worn on the upper front torso, with the inmate's picture clearly visible for staff to identify the inmate. Inmates will be issued an identification card upon arrival at the institution and upon unit changes by the Correctional Systems Department. Inmates are responsible for the care of these cards. Lost, stolen, or damaged cards must be replaced. Inmates will be issued a Lanyard, which is to hold the ID Card. Lanyards will be used at all times and will be properly worn around the neck and displayed at all times over the outer layer of clothing.

Counts

One of the first realities of institution life are the counts. It is necessary for the staff to count inmates on a regular basis. During count, inmates are expected to stay quietly in their cells until the count is announced as clear. The inmate is expected to be standing at bedside during official counts held at 4:00 p.m., 10:00 a.m. on weekends and holidays, and during any emergency count.

When a count is announced, each inmate must return to his cell and remain there quietly until it is announced the count is clear. Official counts will ordinarily be taken at about 12:01 a.m., 3:00 a.m., 5:00 a.m., 4:00 p.m., and the 10:00 p.m. **STAND UP COUNT**. On weekends and holidays a count will be conducted at 10:00 a.m.

Staff will take disciplinary action if an inmate is not in his assigned area during a count. Disciplinary action will also be taken against inmates for leaving an assigned area before the count is clear. The inmate must actually be seen at all counts, even if the inmate must be awakened.

Call-Outs

Call-outs are a scheduling system for appointments (which include medical, dental, educational, team meetings and other activities) and are posted each day on the unit bulletin boards after 4:00 p.m., on the day proceeding the appointment. It is the inmate's responsibility to check for appointments on a daily basis; all scheduled appointments are to be kept. If an inmate is in need of routine medical attention, he ordinarily will have to go to the Health Services Unit that morning between the hours of 6:30 a.m. and 7:00 a.m. during the sick-call move and sign up for sick call. Illnesses of an emergency nature are exceptions and are handled accordingly.

Pass System

FCI McDowell utilizes two types of passes, work and permanent.

Work Passes: Work passes will be issued to inmates assigned to Facilities, Safety, and V.T. These passes may be used to allow an inmate to move to up to four areas of the institution to complete work (i.e., spraying, checking fire extinguisher, checking light bulbs, etc.) The detail supervisor will issue the pass which will include the inmates name, number, tools, and areas authorized to complete work in. Upon completion of the assigned work, the inmate will have an employee sign and note the departure time on the pass. The inmate will then return the pass to his detail supervisor. The ten-minute travel time will be followed for this type of pass and each receiving employee will note the time of arrival and departure on the face of the pass.

Permanent Passes:

Barber Shop: Each housing unit will have one barbershop pass. Inmates are only authorized to move to the barbershop during scheduled movement times. The inmate will provide his identification card to the Unit Officer and receive the pass. When the inmate returns the pass the identification card is returned to the inmate. The inmate will only be authorized to retain this pass between two scheduled movement periods or one hour. If the inmate fails to return the pass disciplinary action may be taken.

Juma: Inmates wishing to participate in Juma prayer service, held in the Chapel at 1:00 p.m. on Fridays, will be issued a Juma pass by the Chaplain. The Chaplain will maintain a list of inmates authorized to retain this pass. Inmates must obtain this pass from the Chaplain before participating in Juma service. There are no exceptions. Inmates located in the Chapel without this pass will be considered in an unauthorized area and disciplinary action may be taken.

Controlled Movement

During open institution hours, movement throughout the institution will be regulated by a procedure called controlled movement. The purpose of controlled movement is to ensure the movement of inmates is safe and orderly.

Controlled movements are ten minutes in duration and direct movement from the housing unit to the work site or other announced areas or from other announced areas back to the housing units. The beginning and end of each move will be announced by staff. During the ten minute periods of controlled movement, inmates may move from the announced release area of the call to the announced designated ending area of the call. An example would be one way movement from the housing units to Recreation.

During evening hours, the first controlled movement is a one-way ten minute move to recreation prior to the evening meal. This means after the evening meal inmates may travel to any unrestricted area of the institution during these hourly moves. On Saturdays, Sundays and holidays, the first controlled movement will begin at the end of the morning meal.

Contraband

Contraband is defined as any item not authorized or issued by the institution, received through approved channels, or purchased through the Commissary. All staff are alert to the subject of contraband and make an effort to locate, confiscate, and report contraband in the institution. Each inmate is responsible for all items found in their assigned living area and should immediately report any unauthorized item to the Unit Officer. Any item in an inmate's personal possession must be authorized, and a record of the receipt of the item should be kept in the inmate's possession. Inmates may not purchase radios or any other items from another inmate; items purchased in this manner are considered contraband and will be confiscated. An altered item, even if an approved or issued item, is considered contraband. Altering or damaging government property is a violation of institution rules and the cost of the damage will be levied against the violator.

Shakedowns

Any staff member may search an inmate's cell at any time to locate contraband or retrieve stolen property. The property and living area will be left in the same general condition as found and these inspections will be unannounced and random.

Drug Surveillance

FCI McDowell operates a drug surveillance program which includes mandatory random testing, as well as testing of certain other categories of inmates. If a staff member orders an inmate to provide a urine sample for this program, and the inmate does not do so, the inmate will be subject to an incident report.

Alcohol Detection

A program for alcohol surveillance is in effect at FCI McDowell. Random samples of the inmate population are tested on a routine basis, as well as those suspected of alcohol use. A positive test will result in an incident report. Refusal to submit to the test will also result in an incident report.

Fire Prevention and Control

Fire prevention and safety are everyone's responsibility. Inmates are required to report fires to the nearest staff member so property and lives can be protected. Piles of trash or rags in closed areas, combustible material, items hanging from fixtures or electrical receptacles, or other hazards will not be tolerated. Regular fire inspections are made at this institution by qualified professionals.

PROGRAMS AND SERVICES

Job Assignments

All inmates are expected to maintain a job assignment. Many job assignments are controlled through a Performance Pay System, which provides monetary payment for work. Federal Prison Industries has a separate pay scale. Unit Managers approve job changes and see that the changes are posted on the Daily Change Sheet.

Institution maintenance jobs are usually the first assignment an inmate receives. These might include work in Food Service, in the unit, or in a maintenance shop.

Food Service

Inmates are provided 3 nutritionally adequate, properly prepared meals daily. Self-service meal operations for general population inmates may include features such as salad bars and hot bar, The National menu offers self selection of a variety of menu items which include no flesh, heart healthy and pork free meal options.

Inmates housed in the Special Housing Unit receive a balanced, nutritious diet. Except for any approved special diets, inmates in this unit receive the same diet as inmates in the general population, although portion controls and manner of service may vary. No soup is served in the Special housing Unit.

Inmates are expected to be in full inmate uniform 7:30 to 4:00 p.m.. Inmates cannot wear any gym clothing nor lounge clothing in the dining hall during normal working hours Monday through Friday excluding all federal holidays. Inmates will remove their hats and head gear and sun glasses (excluding religious head gear) upon entering the first door of the Food Service Department. No inmate personal items may be brought into Food Service, this is to include, cups, bowls, books, containers, mesh bags issued to you for your commissary, files, folders and food or beverage items. Inmates will have their uniform shirt tucked in and buttoned up with only the top button permitted to be unbuttoned. Inmates will have their uniform belt on and tightened up. Shoes are to be worn in the dining room area. You will be required to have your identification card with you at each meal. You will be required to scan your card to receive your meal. Any inmate who fails to have a card on their person will be sent back to their assigned unit to retrieve it. Any inmate who loses his card will be given one opportunity to acquire a new card from R&D on Tuesdays and Thursdays during main line lunch. Any inmate who is found to have eaten twice during the same meal period is subject to disciplinary action. Inmates will not be permitted to bring any food items in or out of the dining hall. All food must be consumed in the dining hall.

Dining Room Standards:

- A. Food cannot be traded from one inmate to another on the serving line.
- B. No personal property will be allowed into the Food Service Department i.e. cups, mugs, commissary bags etc..
- C. Inmates are not permitted to eat or drink while on the serving line.

Meal Schedule:

- A. Monday through Friday, meals will be served as follows:

Breakfast:	6:15 A.M.	
Camp:	6:30 A.M.	
Lunch:	10:00 A.M.	Short Line Food Service Workers (only for those inmates who are working in food service.
	10:30 A.M.	Mainline for Facilities
	10:50 A.M.	Mainline for Units begins
	11:00 A.M.	Camp
	11:05 A.M.	Mainline from Education
	11:15 A.M.	Continue Feeding of the Remaining Housing Units

Dinner:

The evening meal will be served as follows.

3:00–3:15 P.M	Short Line Food Service Workers (only for those inmates who are working in food service, no move will be called).
5:10 P.M	Or after 4:00 P.M. count clears. Units will be called on a rotating basis by the Correctional Services Staff.
Camp	5:00 P.M.

- B. On Saturdays, Sundays, and Holidays, meals will be served as follows:

Coffee Hour	6:15 A.M.
Camp	6:30 A.M.

Brunch 11:10 A.M.
The Brunch meal will be served as follows:

9:15 – 9:30 A.M. Short Line (only for those inmates who are
working in food service).

The Correctional Services Staff will monitor the flow of inmates in the Dining Room, and has the authority to modify the above schedule as needed.

General Information:

You must bring your ID card in order to eat mainline. No Card = No Meal

- A. There is going to be a large inmate workforce assigned to the FCI/FPC Food Service Department. This work force will encompass every area of the Department.
- B. The department runs on a per capita, based on the inmate population per day currently \$2.89 per inmate per day.
- C. The National Menus run on a 5-week cycle, Certified Diet Menus run on a 3-week cycle.
- D. A standard ration system using six nutritional details is used to track the consumption of all food. It provides for an important continuous measurement system. The menus are nutritionally analyzed by a Registered Dietician.
- E. Food Service not only serves meals in the main dining room, but also segregation, bus and airlift operations, outside details (pre-approved by the FSA or AFSA), medical diets, Staff Dining Room and Certified Religious Diets (approved only by the Chaplain).
- F. Daily responsibility of the staff are to train, demonstrate proper production, presentation techniques, food safety, and to coordinate the Food Service workers efforts to ensure that quality products are produced in a timely manner according to the National Menus.

- G. All inmates that are assigned to Food Service have been given a medical examination, and cleared by the institution Health Services Department.
- H. Religious Diets are approved by the Chaplain only, Food Service Staff cannot approve these at any time.
- I. All dietary needs are met through education, and appropriate self selection from the main dining line.
- J. Medical diets can be recommended only by the Clinical Director. If the Physician determines that this institution cannot provide an adequate diet program for the inmate needs, efforts will be made to transfer the inmate to a facility which can handle his dietary needs.
- K. Good manners and consideration for others are the basis for acceptable conduct in the dining room, inmates are expected to clear the table, and leave the dining room promptly upon completion of the meal. Trays, plastic dinnerware, and cups are to be taken to the dish room window by the user not food service inmate workers. **No food, (ie: Fruit, pastries, milk, etc.) equipment or utensils are to be removed from the food service department at any time.**
- L. Inmates with complaints with the meal being served, their portion, or any other food service issue are to follow the chain of command. Do not approach the Executive Staff if you have not approached everyone in the chain of command in food service first.
- M. Inmates who eat twice, alter their ID cards and or try to circumvent the meal scanner system in any way will be issued an incident report.
- N. When attending meals in the dining room, all inmates will wear the institution khaki shirt and T-shirt, pants, and shoes (Shirts will be buttoned and tucked into the pants). Between the hours of 6:00 AM and 4:00 PM, Monday through Friday, excluding holidays, the approved uniform dress code will be enforced and adhered to. ID cards must be visible at all times.
- O. During non-programming hours, inmates are permitted to wear the below listed clothing in the dining room:

1. No cut off or sleeveless shirts of any kind will be worn in the dining room.
2. Inmates may wear the commissary-purchased sweats or shorts.
3. No open toed shoes may be worn in the central dining room at any time.
4. Radios and headphones are not allowed in the dining room.
5. Hats are not to be worn in the dining room, except for approved religious head wear.

The Religious Meal program is available for those individuals needing it. The Chaplain will determine if there is a verifiable need.

Education Programs

Educational opportunities include Literacy, English-as-a-Second Language, Adult Continuing Education, Occupational Training Programs, Post-Secondary Education, Parenting, Wellness and Leisure-time activities. Program Statement 5350.28, Literacy Program (GED Standard), requires inmates who do not have a GED credential or a high school diploma to complete 240 instructional hours of literacy program participation. An inmate may request to withdraw from the literacy program after 240 instructional hours; however, withdrawal may affect good conduct time for inmates sentenced under the Violent Crime Control and Law Enforcement Act (VCCLEA) and the Prison Litigation Reform Act (PLRA).

Recreation, Leisure, and Social Programs

Leisure activities and recreation programs include indoor and outdoor activities, and range from individualized arts and crafts programs to intramural team sports. Physical fitness and weight reduction programs are also important activities for inmates and contribute to mental health, good interpersonal relations, and stress reduction.

Religious Services

Religious Services provides pastoral care, counseling and a variety of religious programs to assist in one's spiritual formation. There are regularly scheduled services, studies, special programs, high holy days and periodic guest speakers who speak on a variety of faith issues.

The Religious Services staff invite each one to actively involve themselves in religious programs and spiritual formation.

Counseling Activities

There are many alternatives for inmates who have personal problems and desire to correct them. These options include Self-Image groups and other voluntary groups conducted by Correctional

Counselors. Inmate participation in these activities will be encouraged upon staff's assessment of inmate needs, but participation in such activities is voluntary. The staff of each unit is available for informal counseling sessions and formal group counseling activities.

Psychology and Psychiatry Programs

The Psychology Department provides a variety of services. Individual counseling is available for inmates experiencing family, interpersonal, adjustment or other personal concerns. Educational and therapeutic groups are offered as well. Group topics are determined based on population needs, interests and staff availability. Information is distributed as groups become available.

The Self-help library program includes books and audio and video materials. The materials include topics that assist and motivate the user in their self-improvement efforts. Inmates are placed on call-out to come to Psychology to review the material and complete a corresponding assignment. A certificate of completion is awarded with successful completion. This program is only offered at the FCI.

Drug treatment programs are provided as well. They include the Drug Education course, Non-Residential Drug Treatment and the Residential Drug Treatment program. The Drug Education course is a 12-15 hour program that educates inmates about drugs, addiction and recovery. The course requires scoring 70% or better on a course exam. Upon successful completion of the course a certificate is issued. In accordance to policy, many inmates are required to take the course.

The Non-Residential Drug Program is designed to aid inmates recovering from drug/alcohol addictions and is available to all inmates who volunteer to participate. The program is designed to build positive skills in a variety of areas. It ordinarily lasts 12-24 weeks and consists of individual treatment goals and a variety of program activities. Inmates who complete the program will receive a certificate and may be eligible for a monetary incentive award.

The Residential Drug Abuse Program (RDAP) is a comprehensive program for inmates who volunteer for treatment and have a diagnosable and verifiable substance use disorder. The unit-based portion of the program consists of 500 hours of program activities. If time allows between completion of the unit based portion of the program and transfer to a community-based program, inmates must participate in institutional follow-up services on a monthly basis for up to 12 months. Inmates who complete the unit based program and (when appropriate) the institution follow-up services and are transferred to community confinement must successfully complete community based drug abuse treatment in a community based program to successfully complete the program. Some inmates may be eligible for a sentence reduction of up to 12 months upon successful completion of RDAP. FCI McDowell does not have RDAP; however, eligibility interviews for the program are completed at the institution. Inmates found eligible to

participate may be transferred, when appropriate, to an institution that has the program. In order to be interviewed for the program inmates must submit a cop-out to Psychology when they are between 60 and 24 months to release.

In regard to Psychiatric Services, a psychiatrist, who is a medical doctor, is available for regular consultation for those needing medications or medication monitoring. To access these services please contact Psychology Services Staff. Incarceration can be a highly stressful and difficult time. It can lead to overwhelming feelings and sometimes these give way to thoughts of self harm or suicide. If you are experiencing such feelings, or recognize that someone you know could have such thoughts, let a staff member know

In order to receive services from Psychology, inmates need to submit a cop-out request to Psychology indicating what programs or services they are interested in. Any questions can be addressed via cop-out or by speaking with Psychology staff during mainline. Inmates experiencing a crisis situation and in need of immediate services should contact a staff member who will contact Psychology services.

Escorted Trips

Bedside visits and funeral trips may be authorized for inmates in lower custody categories, when an immediate family member is seriously ill, in critical condition, or has passed away. Depending on the inmate's custody classification, one or two Correctional Officers will escort the inmate. All expenses will be borne by the inmate, except for the first eight hours of each day that the employee is on duty. There are occasions when an escorted trip is not approved, even when all policy-required conditions have been met. These instances are based on a determination that the perceived danger to BOP staff during the proposed visit is too great, or the security concerns about the individual inmate outweigh the need to visit the community.

Furloughs

A furlough is an authorized absence from an institution by an inmate who is not under the escort of a staff member, a U.S. Marshal, other Federal or State agent. Furloughs are a privilege, not a right, and are only granted when clearly in the public interest and for the furtherance of a legitimate correctional goal. Ordinarily, inmates with a history of violence will not be granted social furloughs. The Bureau has a furlough program for inmates who have community custody and have two (2) years or less from their anticipated release date. An inmate who meets the eligibility requirements may submit an application for furlough to staff for approval. Furloughs may be granted for the following reasons:

- Visits to dying immediate family members.
- Attendance at funeral of an immediate family member.
- Obtaining medical services not otherwise available.

- Contacting prospective employers.
- Establishing or reestablishing family or community ties.
- Transferring directly to another institution.
- Participating in selected educational, social, civic, religious and recreational activities, which will facilitate release transition.
- Any other significant reason consistent with the public interest.

In all units, pre-release programming will be emphasized, and staff will address concerns about readjustment, current community issues and educational/vocational opportunities. For eligible inmates, furloughs and Community Correction Center (halfway houses) placements will be considered.

Central Inmate Monitoring System

The Central Inmate Monitoring System (CIMS) is a method for the Bureau's Central and Regional Offices to monitor and control the transfer, temporary release, and participation in community activities of inmates who pose special management considerations. Designation as a CIMS case does not prevent an inmate from participating in community activities. All inmates who are designated as CIMS cases will be so notified by their Case Manager.

Marriages

If an inmate wishes to be married while incarcerated, the Warden may authorize him to do so under certain conditions. All expenses of the marriage will be paid by the inmate. Government funds may not be used for marriage expenses.

If an inmate requests permission to marry he must:

- Have a letter from the intended spouse which verifies her intention to marry.
- Demonstrate legal eligibility to marry.
- Be mentally competent.
- The marriage must not present a security risk to the institution.

The Chaplains are available to discuss with an inmate issues of marriage while incarcerated.

Barber Shop

Haircuts and hair care services are authorized in the barber shop only. Hours of operation will be posted in each of the housing units and the barber shop.

FCI/FPC McDowell Health Services Department

Our **mission** is to provide quality medical, dental, and mental health care for the inmate population, consistent with Bureau of Prisons Policy. This care will be rendered within the constraints of custody, but will recognize the inherent worth of each individual.

The **vision** of the Health Services Department is guided by a tradition of providing high quality health care to an incarcerated inmate population. The vision of our department is to meet the ever increasing and diversified needs of the inmate population and become a center of excellence where staff take pride in the care they provide, and the inmate patients have a positive perception of that care.

PATIENT RIGHTS and RESPONSIBILITIES

While in the custody of the Federal Bureau of Prisons you have the right to receive health care in a manner that recognizes your basic human rights, and you also accept the responsibility to respect the basic human rights of your health care providers.

1. You have the right to health care services, based on the local procedures at your institution. Health Services include medical sick call, dental sick call and all support services. Sick call at this institution is conducted as outlined in the sections below.
2. You have the right to be offered a “Living Will”, or to provide the Bureau of Prisons with “Advance Directives” that would provide the Bureau of Prisons with instructions if you are admitted, as an inpatient, to a hospital in the local community, or the Bureau of Prisons.
3. You have the right to participate in health promotion and disease prevention programs, including education regarding infectious diseases.
4. You have the right to know the name and professional status of your health care providers. Know the name and professional status of your health care providers.
5. You have the right to be treated with respect, consideration and dignity.
6. You have the right to be provided with information regarding your diagnosis, treatment and prognosis.
7. You have the right to be examined in privacy.

8. You have the right to obtain copies of certain releasable portions of your health record.
 9. You have the right to address any concern regarding your health care to any member of the institution staff including your physician, the Health Services Administrator, members of your Unit Team and the Warden.
 10. You have the right to receive prescribed medications and treatments in a timely manner, consistent with the recommendations of the prescribing health care providers.
 11. You have the right to be provided healthy and nutritious food. You have the right to be instructed regarding a healthy choice when selecting your food.
 12. You have a right to request a routine physical examination, as defined by BOP policy. If you are under the age of 50, once every two years; over the age 50, once a year.
 13. You have the right to dental care as defined in BOP policy, to include preventative services, emergency care and routine care.
 14. You have the right to a safe, clean and healthy environment, including smoke-free living areas.
 15. You have the right to refuse medical treatment in accordance with BOP policy. Refusal of certain diagnostic tests for infectious diseases can result in administrative action.
-
1. You have the responsibility to comply with the health care policies of your institution. You have the responsibility to follow recommended treatment plans that have been established for you by institution health care staff, to include proper use of medications, proper diet, and following all health-related instructions with which you are provided.
 2. You have the responsibility to provide the Bureau of Prisons with accurate information to complete this agreement.
 3. You have the responsibility to maintain your health and not to endanger yourself, or others, by participating in activity that could result in the spreading or contracting of an infectious disease.
 4. You have the responsibility to respect these providers as professionals and follow their instructions to maintain and improve your own health.
 5. You have the responsibility to treat staff in the same manner.

6. You have the responsibility to keep this information confidential.
7. You have the responsibility to comply with security procedures.
8. You have the responsibility of being familiar with the current policy to obtain these records.
9. You have the responsibility to address your concerns in the accepted format, such as the Inmate Request to Staff Member form, open houses or the accepted Inmate Grievance Procedures.
10. You have the responsibility to comply with prescribed treatments and follow prescription orders. You also have the responsibility not to provide any other person your medication or other prescribed item.
11. You have the responsibility to eat healthy and not abuse or waste food or drink.
12. You have the responsibility to notify medical staff that you wish to have an examination.
13. You have the responsibility to maintain your oral hygiene and health.
14. You have the responsibility to maintain the cleanliness and safety of living and working areas in consideration of others. You have the responsibility to follow smoking rules.
15. You have the responsibility to be counseled regarding the possible ill effects that may occur as a result of your refusal. You also accept the responsibility to sign the refusal.

Health Services holds “Open House” for Medical Records and Dental on Wednesdays from 12:00 p.m. to 12:45pm or last call for mainline which ever comes first. This open house is for your convenience. Any questions or concerns you have regarding your health care may be discussed during these hours.

HOW TO MAKE MEDICAL/DENTAL SICK CALL APPOINTMENTS

To make a sick call appointment, bring your ID card to the Health Services Department during the morning sick-call move (this move will occur as the first move of the morning, four days per week: Monday, Tuesday, Thursday, and Friday, except for Holidays. Appointments are made by coming to the Health Services Department during this time and requesting an appointment.

- A. ALWAYS BRING YOUR “ID CARD” TO SIGN UP FOR SICK CALL.
- B. Present your ID card along with your sick call form at the sign-up desk.

- You must fill out the sick call form in ink. The form must include your name, register number, and complaint. Please be as thorough as possible on the form.
- C. You will either be seen immediately, or you will be placed on the call-out for the date and time you are to return to the Health Services Department, depending on the nature of your medical or dental problem.
 - D. Dental sick call sign up requires this sick call form.
 - E. Try not to arrive at the Health Services Department earlier than five minutes prior to your appointment, and do not arrive later than five minutes after your appointment.

TARDINESS FOR SICK CALL: You must report for ALL sick call appointments, as well as ALL appointments scheduled via the call out. You are expected to arrive for your appointment on time, with your ID card. You are not to arrive any sooner than five minutes before the scheduled time of your appointment, and no later than five minutes after. If you are more than ten minutes late, and the reason is not justified or substantiated by staff, your appointment will be canceled, and appropriate disciplinary action taken as it pertains to your absence from a scheduled assignment.

Sick Call Procedures for Inmates housed in the Special Housing Unit (SHU)

- A. Medical staff make rounds in the Special Housing Unit a minimum of two times per day. The first visit at 6:00 - 6:30 AM and the second visit during the evening after the count clears (generally around 5:30 PM).
- B. It is the inmate's responsibility to be standing at their door during the morning rounds in order to request a sick call visit. Depending on the nature of the inmate's complaint, an appointment will be made at the appropriate time.
- C. Sick call requests will be accepted on regular writing paper if that is all the inmate has access to.
- D. Sick call requests will be accepted on Monday, Tuesday, Thursday, and Friday.
- E. If an inmate has a medical emergency after morning rounds have been made then SHU staff should notify medical staff as soon as possible. Medical staff will then handle the emergency as deemed medically necessary.
- F. Morning pill line will be conducted during the morning rounds. Evening pill line will be conducted during the evening rounds.
- G. Prescription refill requests can be made during either of the two rounds. Prescription

delivery will take place during the evening medical rounds.

PILL LINES

Pill line is conducted at two scheduled times during the day. The pill line times are as follows:

FCI

Approx. 6:30-7:00 (after mainline) a.m.

Monday through Friday

6:15 a.m.

Weekends/Holidays

3:00 p.m. - 3:30 p.m.

**Daily
Medication Prescriptions
Refill Pick Ups**

**Daily
Restricted Pill Line Medications Only
(will be put on call-out)**

FPC

6:15 a.m.

Monday through Friday

7:00 a.m.

Weekends/Holidays

3:00 p.m. - 3:30 p.m.

Daily

You must present your institution ID at each pill line.

Some prescription medications may be written up to 180 days at a time. If your prescription has refills indicated on the bottle, and you need a refill please fill out a refill form located outside the pharmacy window during the morning pill line and pick your medication up at the 3:30 p.m. pill line. Medication will not be refilled if the expiration date has passed; you will be required to make a sick call appointment to have the medication renewed.

ROUTINE DENTAL CARE

New commitments are seen by the Dental Department as part of the A&O process. At this time, they will be able to establish a treatment plan in regard to your immediate needs. Requests for routine work are to be submitted to the Dentist on an Inmate Request To Staff (Cop Out) for FPC inmates. You must watch the call outs for your appointment time. If you are not seen here for an A&O exam, submit a cop out if you wish to be placed on the treatment list.

Inmates at the FCI who wish to have a dental cleaning, must submit an Inmate Request to Staff Member (Cop-out). You will be placed on a waiting list and advised of the approximate date of your scheduled appointment. Camp inmates must submit an Inmate Request To Staff Member to be placed on the waiting list for a dental cleaning. Inmates, FCI/SPC, who are already on the waiting list for cleanings or routine dental care in BEMR will be seen accordingly and do not need to resubmit a Cop-out. However, inmates must inquire through mainline or Cop-out to see their status in BEMR.

FPC dental sick call forms are accepted on Tuesdays only. Dental services may also be accessed through the Inmate Request to Staff Member (cop-out) process.

As with scheduled appointments you **MUST** show up for your dental appointments, whether they be emergency, sick call, or scheduled on the posted call outs.

Report any emergencies to staff immediately and appropriate action will be taken.

PHYSICAL EXAMINATIONS

All newly committed inmates will receive a complete physical examination, including dental exam, laboratory tests, immunizations, Tuberculosis test, eye screening, and in some cases, a chest x-ray. The medical A&O exams are conducted on Wednesdays. Inmates are required to be at the Health Services Department on the day their exam is scheduled. Inmates are eligible for a complete physical every two years if under 50, and a complete physical every year if over 50 years of age. If you are over 50 you are also eligible for a yearly EKG. If it has been one year since your last physical exam, you may request a release physical two months prior to your release date. Each inmate is entitled to request a Health Care Prevention Visit every three years prior to the age of 50, and every year after the age of 50. Send your request for a physical exam to the Health Services Department on an Inmate Request to Staff form (Cop Out). Please the BOP Clinical Practice Guidelines for Preventative Health.

EYEGASSES/CONTACT LENSES

A consultant eye doctor comes to the institution on a scheduled basis. FCI inmates who wish to be evaluated for eyeglasses must report to Health Services during Open House on Wednesday between the hours of 12:00 p.m. to 12:45pm or last call for mainline whichever comes first. At that time, you will be placed on a waiting list and advised of an approximate date of your appointment. Your name will be placed on the call out for the date of your appointment. **FPC** inmates must submit an Inmate Request To Staff Member (cop-out) requesting an eye examination. If the eye doctor determines you need a pair of glasses, we will order them for you at government expense. It takes approximately four to six weeks to receive them. We do not allow eyeglasses from outside sources to be sent into this institution unless deemed necessary by the Clinical Director. Unless medical staff determine contact lenses are medically necessary prescription glasses must be worn and contact lenses sent home.

CONSULTANT REFERRALS TO OUTSIDE MEDICAL FACILITIES, DOCTORS

If the physician at this institution determines that your particular medical/dental problem cannot be evaluated or handled at this facility, you will be referred to the most appropriate medical setting. This could be a local clinic, or another Bureau medical center. Once the care is completed, you will be transferred back to this institution.

DUTY STATUS

The medical department has five types of fitness for duty status:

Regular Duty - you will be assigned to work anywhere in the institution you are assigned and can participate in all institutional activities.

Restricted Duty - you are to follow the restrictions as outlined on the form for your particular duty limitation.

Convalescence - no work duty, but not restricted from other activities, must still attend Education classes.

Idle - this is essentially BED REST. You are permitted out of bed for meals, medical appointments, bathroom and chapel. You are not allowed to be: up watching television, out on the compound, or in the gym.

Medically Unassigned- unassigned due to existing medical condition. you are to follow the restrictions as outlined on the form.

Violation of any of these restrictions subjects you to disciplinary action. If there is confusion concerning your duty status or restriction, notify a Health Services staff member through a cop out or sick call.

CALL OUTS

The call out system is utilized by Health Services for clinical appointments, follow-up visits, and x-ray or laboratory procedures.

*******LOOK AT THE CALL OUT EVERY EVENING*******

*******ALL MEDICAL CALL OUTS ARE MANDATORY*******

FAILURE TO REPORT FOR MEDICAL CALL OUTS WILL RESULT IN AN INCIDENT REPORT

EMERGENCY APPOINTMENTS

In the event you become ill, or have an accident which requires immediate medical attention, you are to notify your supervisor or the closest staff member who will then contact the Health Services Department for instructions. DO NOT JUST WALK INTO THE HEALTH SERVICES DEPARTMENT WITHOUT PRIOR APPROVAL FROM A HEALTH SERVICES STAFF MEMBER..

CAMP SICK CALL

Inmates who are assigned to the Federal Prison Camp may make sick call appointments in the morning between the hours of 6:30 AM and 6:45 AM., (Monday, Tuesday, Thursday and Friday) The inmate will be responsible for completing an Inmate Sick Call Sign Up form, in ink, and reporting to Camp Health Services during the time frame specified above. A Physician's Assistant or Registered Nurse will screen all appointment requests and either give the inmate an appointment for the same day, or schedule an appointment at a later date. For those appointments which are scheduled for a later date, the inmate will be placed on a call-out.

INMATE COPAYMENT PROGRAM

Pursuant to the Federal Prisoner Health Care Copayment Act (FHCCA) of 2000 (P.L. 106-294,

18 U.S.C. § 4048), The Federal Bureau of Prisons and FCI/FPC McDowell provide notice of the Inmate Copayment Program for health care, effective October 3, 2005.

A. **Application:** The Inmate Copayment Program applies to anyone in an institution under the Bureau's jurisdiction and anyone who has been charged with or convicted of an offense against the United States, except inmates in inpatient status at a Medical Referral Center (MRC). All inmates in outpatient status at the MRCs and inmates assigned to the General Population at these facilities are subject to copay fees.

B. **Health Care Visits with a Fee:**

1. You must pay a fee of \$2.00 for health care services, charged to your Inmate Commissary Account, per health care visit, if you receive health care services in connection with a health care visit that you requested, except for services described in section C., below.

These requested appointments include Sick Call and after-hours requests to see a health care provider. If you ask a non-medical staff member to contact medical staff to request a medical evaluation on your behalf for a health service not listed in section C., below, you will be charged a \$2.00 copay fee for that visit.

2. You must pay a fee of \$2.00 for health care services, charged to your Inmate Commissary Account, per health care visit, if you are found responsible through the Disciplinary Hearing Process to have injured an inmate who, as a result of the injury, requires a health care visit.

C. **Health Care Visits with no Fee:**

We will not charge a fee for:

1. Health care services based on health care staff referrals;
2. Health care staff-approved follow-up treatment for a chronic condition;
3. Preventive health care services;
4. Emergency services;
5. Prenatal care;
6. Diagnosis or treatment of chronic infectious diseases;
7. Mental health care; or
8. Substance abuse treatment.
9. Immediately reported injuries.

If a health care provider orders or approves any of the following, **we will also not charge a fee for:**

- Blood pressure monitoring;
- Glucose monitoring;
- Insulin injections;
- Chronic care clinics;
- TB testing;
- Vaccinations;
- Wound Care; or
- Patient education.

Your health care provider will determine if the type of appointment scheduled is subject to a copay fee.

D. Indigency: An **indigent inmate** is an inmate who has not had a trust fund account balance of \$6.00 for the past 30 days.

If you are considered indigent, you will not have the copay fee deducted from your Inmate Commissary Account.

Please note that NO inmate will be denied medical treatment based on financial status.

If you are NOT indigent, but you do not have sufficient funds to make the copay fee on the date of the appointment, a debt will be established by TRUFACS, and the amount will be deducted as funds are deposited into your Inmate Commissary Account.

E. Complaints: You may seek review of issues related to health service fees through the Bureau's Administrative Remedy Program (see 28 CFR part 542).

OVER-THE-COUNTER MEDICATIONS (OTC'S)

Personal resources will be used by inmates to obtain OTC medications which are indicated for cosmetic and general hygiene issues or symptoms of minor ailments. These symptoms include seasonal allergies, occasional constipation, uncomplicated athletes foot, acne, simple rashes, dry skin, and muscle aches from exertion.

For those inmates who report to health services with symptoms of minor medical ailments and cosmetic or general hygiene issues they will be referred to the institution commissary with a

Commissary Shopping List stating which medications they may purchase for general complaints.

On-the-job Injuries

If an inmate is injured while performing an assigned duty, he must immediately report this injury to his work supervisor. The work supervisor will then report the injury to Health Services staff and the institution Safety Manager. The inmate may be disqualified from eligibility for lost-time wages or compensation if he fails to report a work injury promptly to the supervisor.

If injured while performing an assigned duty, and the inmate expects to be impaired to some degree, he may submit a claim for compensation. A medical evaluation must be included in the claim before any compensation can be considered.

PRIMARY CARE PROVIDER TEAMS

PURPOSE

The goal of this institution's Health Services Department is to provide medical care which is consistent with the community standard of care. The PCPT model is designed to function in the same manner as a doctor's office within the community setting, consisting of clinical staff such as Physicians, Physicians Assistants, Registered Nurses, and Medical Assistants, as well as support staff such as Medical Records Technicians, and clerical staff.

The PCPT Team is a group of health care providers and support staff whose function is to provide direct patient care which support and enhance the day to day operations of the sick-call process, and chronic care clinics.

The Health Services Department at FCI/FPC McDowell is comprised of two different locations. This department is responsible for providing direct patient care to approximately 1800 inmates at the FCI and approximately 400 inmates at the Satellite Camp.

Inmates will be classified based on the last two numbers of their first five digits. Example inmate # 12331-678 would be for PA1.

With Current Staff of Mid-Level Providers

PA 1	00-32	Approx. 575 Inmates
PA 2	33-65	Approx. 575 Inmates
PA 3	66-99	Approx. 575 Inmates

CONTACT WITH THE COMMUNITY AND PUBLIC**Correspondence**

In most cases, inmates are permitted to correspond with the public, family members and others without prior approval or the maintenance of a correspondence list. Outgoing mail is placed in mailboxes located in the housing units. Outgoing mail will be inspected by staff, and must be unsealed when deposited in the institution mailbox. The outgoing envelopes must have the inmate's name, registration number, and complete return address in the upper left hand corner. Do not abbreviate Federal Correctional Institution McDowell.

Inmates will be responsible for the contents of all of their letters. Correspondence containing threats, extortion, etc., may result in prosecution for violation of Federal laws.

Inmates may be placed on restricted correspondence status based on misconduct or as a result of classification. The inmate is notified of this placement and has the opportunity to respond. There is no mail service on weekends and holidays.

Incoming Correspondence

First class mail is distributed Monday through Friday (except holidays) by the evening watch officer in each living unit. Newspapers and magazines may also be delivered at this time. Legal and special mail will be distributed by Mail Room or Unit staff and opened in the presence of the inmate. The number of incoming letters an inmate may receive will not be limited unless the number received places an unreasonable burden on the institution.

Inmates are asked to advise those writing to them to put the inmate's registration number and unit on the envelop to aid the prompt delivery of mail.

All inmate packages received at the institution must have prior authorization. Ordinarily, authorization for inmates to receive incoming packages will be limited to release clothing only.

Incoming Publications

The Bureau permits inmates to subscribe to and receive publications without prior approval. The term “publication” means a book, single issue of a magazine or newspaper, or material addressed to a specific inmate, such as advertising brochures, flyers, and catalogs. An inmate may only receive publications and newspapers from the publisher or a book club/store. Accumulation of publications will be limited to five (5) magazines (not to be more than three (3) months old) and to the amount that can be neatly stored in the locker provided in each room, because of sanitation, and fire safety reasons. The Unit Manager may allow more space for legal publications upon request.

The Warden will reject a publication if it is determined to be detrimental to the security, good order or discipline of the institution, or if it might facilitate criminal activity. Publications which may be rejected by the Warden include, but are not limited to publications which meet one of the following criteria:

- It depicts or describes procedures for the construction or use of weapons, ammunition, bombs, or incendiary devices.

- It depicts, encourages, or describes methods of escape from correctional facilities, or contains blueprints, drawings, or similar descriptions of Bureau of Prisons’ institutions.

- It depicts or describes procedures for the brewing of alcoholic beverages or the manufacture of drugs.

- It is written in code.

- It depicts, describes, or encourages activities which may lead to the use of physical violence or group disruption.

- It encourages or instructs in the commission of criminal activity.

- It is sexually explicit material that by its nature or content poses a threat to the security, good order, or discipline of the institution.

Special Mail

“Special Mail” is a category of correspondence which may be sent out of the institution unopened and unread by staff, which includes correspondence to: President and Vice-President of the United States, U.S. Department of Justice (including Bureau of Prisons), U.S. Attorneys’ Offices,

Surgeon General, U.S. Public Health Service, Secretary of the Army, Navy, or Air Force, U.S. Courts, U.S. Probation Officers, Members of the U.S. Congress, Embassies and Consulates, Governors, State Attorneys General, Prosecuting Attorneys, Directors of State Department of Corrections, State Parole Commissioners, State Legislators, State Courts, State Probation Officers, other Federal and State law enforcement officers, attorneys and representatives of the news media.

“Special Mail” also includes mail received from the following: President and Vice-President of the United States, Attorneys, Members of U.S. Congress, Embassies and Consulates, the U.S. Department of Justice (including the Bureau of Prisons), other federal law enforcement officers, U.S. Attorneys, State Attorney’s General, Prosecuting Attorneys, Governors, U.S. Courts and State Courts. For incoming correspondence to be processed under the special mail procedures, the sender must be adequately identified on the envelop, and the front of the envelop must be marked “Special Mail - Open only in the presence of the inmate.”

A designated staff member opens incoming “Special Mail” in the presence of the inmate. Inmates will be notified by unit staff or mail room staff where to report to have special mail issued. These items will be checked for physical contraband and for qualification as “Special Mail”; the correspondence will not be read or copied if the sender has accurately identified himself/herself on the envelope and the front of the envelop clearly indicates that the correspondence is “Special Mail” only to be opened in the presence of the inmate. Without adequate identification as “Special Mail”, the staff may treat the mail as general correspondence. In this case, the mail may be opened, read, and inspected.

Inmate Correspondence with Representatives of the News Media

An inmate may write, following Special Mail procedures, to representatives of the news media when specified by name and title.

The inmate may not receive compensation or anything of value for correspondence with the news media. The inmate may not act as a reporter, publish under a byline, or conduct a business or profession while in Bureau custody.

Representatives of the news media may initiate correspondence with an inmate. Correspondence from a representative of the news media will be opened, inspected for contraband, for qualification as media correspondence, and for content which is likely to promote either illegal activity or conduct contrary to regulations.

Correspondence Between Confined Inmates

An inmate may be permitted to correspond with an inmate confined in another penal or correctional institution. This is permitted if the other inmate is either a member of the immediate family (mother, father, sister, child, or spouse), or party in a legal action (or a witness)

in which both parties are involved. Such correspondence will be inspected and read by staff at the sending and receiving institutions (it may not be sealed by the inmate). The Unit Managers at both institutions must approve the correspondence.

Rejection of Correspondence

The Warden may reject correspondence sent by or to an inmate if it is determined to be detrimental to the security, good order, or discipline of the institution, to the protection of the public, or if it might facilitate criminal activity. Examples include:

Material which is non-mailable under law or postal regulations.

Information of escape plots, of plans to commit illegal activities, or to violate institution rules.

Direction of an inmate's business (prohibited act 408). An inmate may not conduct a business while confined.

Notification of Rejection

The Warden will give written notice to the sender concerning the rejection of mail and the reasons for rejection. The sender of the rejected correspondence may appeal the rejection. The inmate may also be notified of the rejection of correspondence and the reasons for it. The inmate also has the right to appeal the rejection. The Warden shall refer the appeal to a designated officer other than the one who originally disapproved the correspondence. Rejected correspondence ordinarily will be returned to the sender.

Change of Address/Forwarding of Mail

Inmates may obtain change of address cards from the institution mail room. These cards should be completed by inmates who are being released or transferred, to notify correspondents of a change in an address. Any general mail received after 30 days will be returned to the sender. "Special Mail" will continue to be forwarded after 30 days.

Certified/Registered Mail

Inmates desiring to use certified, registered, or insured mail may do so at this facility. An inmate may not be provided services such as express mail, private carrier services, COD, or stamp collecting while confined.

Funds Received Through the Mails

The Federal Bureau of Prisons has centralized the processing of all incoming inmate funds. This requires the establishment of a National LockBox location. All funds being sent to inmates at F.C.I./FPC McDowell must be sent to the National LockBox location at the following address:

Federal Bureau of Prisons
Insert Inmate Name
Insert Inmate Register Number
Post Office Box 474701
Des Moines, Iowa 50947-0001

The institution mail room at F.C.I. McDowell will not accept funds received from the outside. Any funds received from the outside will be returned to the sender with specific directions on how to send the funds to the national LockBox. Please notify all persons who send you funds that they must send all funds to the national LockBox mailing address (above) and adhere to the following instructions: Instruct them NOT to enclose personal checks, letters, pictures or any other items in the envelope. Enclose only the allowable negotiable instrument. The national LockBox cannot forward any items enclosed with the negotiable instrument to the inmate. Items, personal in nature, must be mailed directly to the Bureau of Prisons' institution where the inmate is housed.

Instruct them that they must have the inmate's committed name (no nicknames) and register number printed on all money orders; U.S. Treasury, state, and local government checks; any foreign negotiable instruments payable in U.S. currency; and envelopes.

Instruct them that their name and return address must appear in the upper left hand corner of the envelope to ensure that their funds can be returned to them in the event that they cannot be posted to the inmate's account.

Telephones

Inmates must be registered with a Voice Verification (V-PIN) prior to use of the inmate telephones. V-PIN is a security feature designed to work with an inmate's existing telephone Personal Access Code (PAC) number to prevent the inmate's phone account from being accessed by other inmates. V-PIN will match the inmate's voice which is recorded during V-PIN registration. The Trust Fund Technician will establish an inmate's V-PIN registration is complete upon the inmate's arrival at the institution.

All inmate telephone numbers are set-up in the Trust Fund Limited Inmate Communications System (TRULINCS) as contacts. Inmate telephone lists may contain up to a maximum of 30 telephone numbers.

The management of contacts is the responsibility of each inmate. The TRULINCS contact list enables inmates to edit (i.e., add, change, or delete) telephone numbers from their list. Once an inmate contact has been established with a valid telephone number, the number can normally be called within 15 minutes.

While policy specifically allows inmates to make one call every three months, there is no specific limit on the number of phone calls that an inmate may make. It is expected that each inmate will handle his calls in such a manner that will allow the equal use of the phones by all inmates. Calls are limited to fifteen (15) minutes in duration. Each inmate, unless on telephone restriction, is allowed 300 minutes of calls per month. Telephones will not be used to conduct a business. FCI/FPC McDowell has the Inmate Telephone System. This system uses a Personal Access Code(PAC).

The PAC is a nine-digit number that allows an inmate access to the inmate telephone system. This code will be established for new upon arrival and given to them by their Unit Team. Inmates are to treat the PAC number as strictly confidential and are not authorized to share this information with any other inmate. Any inmate allowing another to utilize his PAC number will receive an incident report. Should an inmate have any reason to believe his PAC number is lost or stolen, he should report it to his assigned Unit Team member immediately. To obtain a new PAC number, the inmate will be charged a \$5.00 processing fee. Utilization of a Request for a Withdrawal of Inmate Personal Funds Form(BP-199) is required.

You are allowed to have thirty (30) approved numbers on your phone list. In order to use the system, you will have to transfer funds from your commissary account to your individual telephone account. There are telephones located in each housing unit for your use. No third party, credit card calls, 1-800, 1-900, 1-888, or 1-976 calls can be made on these lines. Collect calls can also be made to approved telephone numbers.

Phone time will be transferred from your commissary account to your telephone account by use of the telephone. Giving or selling your PAC number will result in disciplinary action. All calls are automatically terminated after fifteen (15) minutes. A 30 minute waiting period between calls is imposed at FCI McDowell. Telephones are to be used for lawful purposes only. Threats, extortion, etc. may result in prosecution. All inmate telephones are subject to monitoring and recording. Inmates must contact their Counselor to arrange an unmonitored attorney call.

Visiting

Inmates are encouraged to have visits in order to maintain family and community ties. Visiting is limited to five visitors per visit including children. Visiting hours at the FCI & FPC are from 8:00 a.m. to 3:00 p.m on Saturday, Sunday, Monday, and Federal Holidays. Visiting may be limited on an hourly, or other allocation basis to ensure equitable access to visiting facilities. Visits will be held on a point system. Each inmate is allotted eight points per month. Each weekday visit will be assessed as one point per visit. Weekend visits will be assessed two points per visit. Holiday visits will be assessed two points, unless exempted by the Warden through a memorandum to the inmate population. SHU visits are by appointment only on Saturday,

Sunday, Monday and all Federal holidays between the hours of 8:00 A.M. and 3:00 P.M.

New inmates are asked to submit a visiting list to their Correctional Counselor for approval. Relatives and friends may be approved after certain checks are made. Requests for approval for visitors should be made to the Counselor at least three weeks in advance of the intended visit.

Holdovers and Pre-Trial inmates may be limited to immediate family on their visiting list.

All visits will begin and end in the visiting room. Kissing, embracing, and handshaking are allowed only upon arrival and departure.

Inmates must be properly dressed in order to be admitted to the Visiting Room. Clothing must be neat and clean. Khaki uniforms for FCI inmates and green uniforms for FPC inmates.

There are limits on the number and type of articles that can be taken into the visiting room. Typical items that may be taken into the Visiting Room by an inmate are limited to a comb, wedding band, prescription eyeglasses, handkerchief, and a religious medal. Coins, cigarettes and items purchased in the Visiting Room may not be brought back into the institution by the inmate.

Visitors must be properly dressed. Shorts, mini skirts, halter tops, hospital pants, baseball caps, and other clothing of a suggestive or revealing nature will not be permitted in the visiting room. Visitors shall refrain from wearing clothing similar to the inmate clothing (Tan pants and shirt if entering the FCI and green if entering the FPC). Footwear must be worn by all visitors.

Identification of Visitors

Identification is required for visitors. This may include a State Driver's License or State I.D. Card, or other official forms of identification with full names and signatures affixed. Birth certificates are not considered proper identification. Persons without proper identification will not be permitted to visit.

Visitors may be asked to submit to a search and will be checked with a metal detector. Visitors' purses, attorneys' briefcases, etc. may also be searched. Other personal articles belonging to visitors must be placed in lockers provided by the institution or may be left in their cars.

Visitors are permitted to bring money into the Visiting Room to purchase items from the vending machines. Also, a reasonable amount of diapers and other infant care items and sanitary napkins may be brought into the Visiting Room in a clear bag. No food may be brought into the Visiting Room, but vending machines are available.

Inmates are not allowed to receive either coins or money for their Commissary account while in the Visiting Room. Money for commissary accounts shall be sent through the mail, using a U.S.

Postal Money Order, and sent to the National LockBox location in Des Moines, Iowa.

No items may be exchanged in the Visiting Room without prior approval by the appropriate staff member.

ACCESS TO LEGAL SERVICES

Legal Correspondence

Legal correspondence from attorneys will be treated as “Special Mail” if it is properly marked. The envelope must be marked with the **attorney’s name** and an indication that he/she is an attorney and the front of the envelope must be marked “Special Mail - open only in the presence of the inmate.” It is the responsibility of the inmate to advise his attorney about this policy. If legal mail is not properly marked, it will be opened as general correspondence.

Attorney Visits

Attorneys shall ordinarily make advance appointments for each visit. Attorneys are encouraged to visit during the regular visiting hours. However, visits from an attorney can be arranged at other times based on the circumstances of each case and the availability of staff. Attorney visits will be subject to visual monitoring, but not audio monitoring.

Legal Material

During attorney visits, a reasonable amount of legal materials may be allowed in the visiting area with prior approval. Legal material may be transferred during attorney visits, but is subject to inspection for contraband. This material will be treated in a similar manner as the “Special Mail” procedures described above. Inmates are expected to handle the transfer of legal materials through the mail as often as possible.

Attorney Phone Calls

In order to make an unmonitored phone call with an attorney, the inmate must demonstrate to the Unit Team the need, such as an imminent court deadline. Phone calls placed through the regular inmate phones are subject to monitoring.

Law Library

The Law Library is located in the Education Department and contains a variety of legal reference materials for use in preparing legal papers. Reference materials include the United States Code Annotated, Federal Reporter, Supreme Court Reporter, Bureau of Prisons Program Statements, Institutional Supplements, Indexes, and other legal materials. The Law Library is open during convenient non-working hours, including weekends. Legal materials are also available to inmates in the Special Housing Unit.

Notary Public

Under the provisions of 18 USC 4004, Case Managers are authorized to notarize documents. A recent change in the law allows that a statement to the effect that papers which an inmate signs are “true and correct under penalty of perjury” will suffice in federal courts and other federal agencies, unless specifically directed to do otherwise. Some states will not accept a government notarization for real estate transactions, automobile sales, etc. In these cases, it will be necessary to contact unit staff for arrangements with the institution’s notary public. The Records Office will also have notaries. Documents will be notarized by Records Office staff once an Inmate Request to Staff Member is received.

Copies of Legal Material

In accordance with institution procedures, inmates may copy material necessary for their research or legal matters. A copying machine is available in the Education Department for inmate use for a nominal fee. Individuals who have no funds and who can demonstrate a clear need for particular copies may submit a written request for a reasonable amount of free duplication.

Federal Tort Claims

If the negligence of institution staff results in personal injury or property loss or damage to an inmate, it can be the basis of a claim under the Federal Tort Claims Act. To file such a claim, inmates must complete a Standard Form 95. They can obtain this form by submitting an Inmate Request to Staff Member or requesting one through your Correctional Counselor..

Freedom of Information/Privacy Act of 1974

The Privacy Act of 1974 forbids the release of information from agency records without a written request, or without the prior written consent of the individual to whom the record pertained, except for specific instances. All formal requests for access to records about another person and/or agency record other than those pertaining to themselves shall be processed through the Freedom of Information Act, 5 USC 552.

Inmate Access to Central Files

An inmate may request review of disclosable portions of his central file (plus Presentence Report and/or Summary) prior to the individual’s parole hearing. Institution staff will permit the review of the central file under procedures established locally.

Inmate Access to Other Documents

An inmate can request access to the “Non-Disclosable Documents” in his central file and medical file, or other documents concerning himself that are not in his central file or medical file, by submitting a “Freedom of Information Act Request” to the Director of the Bureau of Prisons, Attention: FOI Request. Such a request must briefly describe the nature of records wanted and approximate dates covered by the records. The inmate must also provide his registration number and date of birth for identification purposes.

A request on the behalf of an inmate by an attorney, for records concerning that inmate, will be treated as a “Privacy Act Request” if the attorney has forwarded an inmate’s written consent to disclose materials. If a document is deemed to contain information exempt from disclosure, any reasonable part of the record will be provided to the attorney after the deletion of the exempt portions.

Executive Clemency

The Bureau advises all inmates that the President of the United States is authorized under the Constitution to grant executive clemency by pardon, commutation of sentence, or reprieve. A pardon is an executive act of grace that is a symbol of forgiveness. It does not connote innocence nor does it expunge the record of conviction. A pardon can be in “full” or “partial” depending on whether it absolves a person from all or a portion of the crime. A pardon may have conditions imposed upon it or it can be “absolute,” which is without conditions of any kind. A pardon restores civil rights and facilitates the restoration of professional and other licenses that may have been lost by reason of the conviction. Other forms of executive clemency include commutation of sentence (reduction of sentence imposed after a conviction), and a reprieve (the suspension of execution of a sentence for a period of time). Inmates should contact their assigned Case Manager for additional information regarding this program.

Commutation of Sentence

The Bureau also advises inmates on commutation of sentences. This is the form of executive clemency power used to provide post-conviction relief to inmates during their incarceration. This clemency power is authorized by the Constitution for the Chief Executive Officer, who is the President of the United States for federal offenses. Commutation of sentence is usually the last chance to correct an injustice which has occurred in the criminal justice process. Inmates applying for commutation of sentence must do so on forms that are available from the assigned unit team. The rules governing these petitions are available in the Law Library.

Pardon

A pardon may not be applied for until the expiration of at least five (5) years from the date of release from confinement. In some cases involving crimes of a serious nature, such as violation of Narcotics Laws, Gun Control Laws, Income Tax Laws, Perjury, and violation of public trust involving personal dishonesty, fraud involving substantial sums of money, violations involving organized crime, or crimes of a serious nature, a waiting period of seven years is usually required.

PROBLEM RESOLUTION

Inmate Request to Staff Member

An Inmate Request to Staff Member (form BP-S148), commonly called a “cop-out,” is used to

make a written request to a staff member. Any type of request can be made with this form. Cop-outs may be obtained in the living units from the Correctional Officer on duty. Staff members will answer the request within a reasonable period of time. The response is usually written on the bottom of the request form or on a separate sheet of paper indicating it is a cop-out response.

Administrative Remedy Process

The Bureau emphasizes and encourages the resolution of complaints. Hopefully, an inmate can resolve a problem informally by contact and/or communication with staff members or through the cop-out process. When a resolution is not successful; however, an inmate can access the Administrative Remedy Program. The first step of the Administrative Remedy process is to attempt an informal resolution, utilizing the appropriate Informal Resolution form. All Administrative Remedy forms may be obtained from your assigned Correctional Counselor or Unit Team member.

If the issue cannot be informally resolved, a formal complaint may be filed with a Request for Administrative Remedy (form BP-229), commonly referred to as a "BP9." The inmate may place a single complaint or related issues on the form. If the form contains multiple unrelated issues, the submission will be rejected. The inmate will return the completed BP-9 to the Correctional Counselor, who will deliver it to the Administrative Remedy Coordinator (BP-9 will be rejected unless processed through staff). The BP-9 complaint must be filed within twenty (20) calendar days from the date on which the basis for the incident or complaint occurred, unless it was not feasible to file within that period of time which should be documented in the complaint. Institution staff have twenty (20) calendar days to act on the complaint and to provide a written response to the inmate. This time limit for the response may be extended for an additional twenty (20) calendar days. The inmate will be notified of the extension.

If the inmate is not satisfied with the Warden's response to the BP-9, he may file an appeal to the Regional Director. This appeal must be received in the Regional Office within twenty (20) calendar days from the date of the BP-9 response. The regional appeal is filed on a Regional Administrative Remedy Appeal (form BP-230), commonly referred to as a "BP-10," and must include the appropriate number of copies of the BP-9 form, the Warden's response, and any exhibits. The regional appeal must be answered within thirty (30) calendar days, but the time limit may be extended an additional thirty (30) days. The inmate will be notified of the extension.

If the inmate is not satisfied with the Regional Director's response, he may appeal to the General Counsel in the Central Office. The national appeal must be made on the Central Office Administrative Remedy Appeal (form BP-231), commonly referred to as a "BP-11," and must have the appropriate number of copies of the BP-9, BP-10, both responses, and any exhibits.

The national appeal must be answered within forty (40) calendar days, but the time limit may be extended an additional twenty (20) days. The inmate will be notified of the extension.

When filing a Request for Administrative Remedy or an Appeal (BP-9, BP-10, or BP-11), the form should contain the following information:

- Statement of Facts
- Grounds for Relief
- Relief Requested

Time Limits (in calendar days) for Filing:

- BP-9: 20 days of incident
- BP-10: 20 days from BP-9 response
- BP-11: 30 days from BP-10 response

Response

- BP-9: 20 days
- BP-10: 30 days
- BP-11: 40 days

Extensions

- BP-9: 20 days
- BP-10: 30 days
- BP-11: 20 days

Sensitive Complaints

If an inmate believes a complaint is of a sensitive nature and he would be adversely affected if the complaint became known to the institution, he may file the complaint directly to the Regional Director. The inmate must explain, in writing, the reason for not filing the complaint with the institution. If the Regional Director agrees the complaint is sensitive, it shall be accepted and a response to the complaint will be processed. If the Regional Director does not agree the complaint is sensitive, the inmate will be advised in writing of that determination and the complaint will be returned. The inmate may then pursue the matter by filing a BP-9 at the institution.

General Information

When a complaint is determined to be of an emergency and threatens the inmate's immediate health or welfare, the reply must be made as soon as possible, usually within seventy-two (72) hours from the receipt of the complaint.

Complaints filed on behalf of other inmates are not accepted under the Administrative Remedy Program. For detailed instructions see Program Statement 1330.03, Administrative Remedy Program.

DISCIPLINARY PROCEDURES

Discipline

It is the policy of the BOP to provide a safe and orderly environment for all inmates. Violations of Bureau rules and regulations are dealt with by the Unit Discipline Committees (UDC) and, for more serious violations, the Discipline Hearing Officer (DHO). Inmates are advised upon arrival at the institution of the rules and regulations, and are provided copies of the Bureau's Prohibited Acts, as well as local regulations.

Inmate Discipline Information

If a staff member observes or believes he has evidence that an inmate has committed a prohibited act, the first step in the disciplinary process is writing an incident report. This is a written copy of the charges against the inmate. The incident report will ordinarily be delivered to the inmate within twenty-four (24) hours of the time staff became aware of the inmate's involvement in the incident.

An informal resolution of the incident may be attempted by the Correctional Supervisor. If an informal resolution is accomplished, the incident report will be removed from the inmate's central file. Informal resolution is encouraged by the Bureau of Prisons for all violations except those in the greatest severity category. Violation in the greatest severity category must be forwarded to the Discipline Hearing Officer for final disposition. If an informal resolution is not accomplished, the incident report is forwarded to the UDC for an Initial Hearing.

Initial Hearing

Inmates must ordinarily be given an initial hearing within three (3) work days of the time staff became aware of the inmate's involvement in the incident (excluding the day staff became aware of the incident, weekends, and holidays). The inmate is entitled to be present at the initial hearing. The inmate may make statements or present documentary evidence on his behalf. The UDC must give its decision in writing to the inmate by the close of business the next work day. The UDC may extend the time limits of these procedures for good cause. The Warden must approve any extension over five (5) days. The inmate must be provided, in writing, reasons for any extension. The UDC will either make final disposition of the incident, or refer it to the Discipline Hearing Officer (DHO) for final disposition.

Discipline Hearing Officer (DHO)

The Discipline Hearing Officer (DHO) conducts disciplinary hearings on serious rule violations. The DHO may not act on a case that has not been referred by the UDC. The Captain conducts periodic reviews of inmates in Disciplinary Segregation.

An inmate will be provided with advance written notice of the charges not less than twenty-four (24) hours before the inmate's appearance before the DHO. The inmate may waive this

requirement. An inmate will be provided with a full-time staff member of his choice to represent him if requested. An inmate may make statements in his own defense and may produce documentary evidence. The inmate may present a list of witnesses and request they testify at the hearing. Inmates may not question a witness at the hearing; the staff representative and/or the DHO will question any witness for the inmate. An inmate may submit a list of questions for the witness to answer to the DHO if there is no staff representative. The DHO will request a statement from all unavailable witnesses whose testimony is deemed relevant.

The inmate has the right to be present throughout the DHO hearing, except during deliberations. The inmate charged may be excluded during appearances of outside witnesses or when institution security could be jeopardized. The DHO may postpone or continue a hearing for good cause. Reasons for the delay must be documented in the record of the hearing. Final disposition is made by the DHO.

Appeals of Disciplinary Actions

Appeals of all disciplinary actions may be made through Administrative Remedy Procedures. UDC appeals are made to the Warden (BP-9). DHO appeals are made to the Regional Director (BP-10). The complete Administrative Remedy procedure may be utilized. On appeal, the following items will be considered.

- Whether the UDC or DHO substantially complied with the regulations on inmate discipline.

- Whether the UDC or DHO based its decision on substantial evidence.

- Whether an appropriate sanction was imposed according to the severity level of the prohibited act.

The staff member who responds to the appeal may not be involved in the incident in any way. These staff members include UDC members, the DHO, the investigator, the reporting officer, and the staff representative.

Special Housing Unit Status

There are two categories of special housing: Administrative Detention and Disciplinary Segregation. Administrative Detention separates an inmate from the general population. To the extent practical, inmates in Administrative Detention shall be provided with the same general privileges as inmates in general population. An inmate may be placed in Administrative Detention when the inmate is in holdover status during transfer, is a new commitment pending investigation or trial for a criminal act, is pending transfer, for protection or is finishing confinement in Disciplinary Segregation.

Disciplinary Segregation is used as sanctions for violations of Bureau rules and regulations. Inmates in Disciplinary Segregation will be denied certain privileges. Personal property will

usually be impounded. Inmates placed in Disciplinary Segregation are provided with blankets, a mattress, a pillow, toilet tissue, and shaving utensils.

Inmates may possess legal and religious materials while in Disciplinary Segregation. Also, staff shall provide a reasonable amount of non-legal reading material. Inmates in Disciplinary Segregation shall be seen by a member of the medical staff daily. Inmates in both Administrative Detention and Disciplinary Segregation are provided with regular reviews of the housing status.

RELEASE

Sentence Computation

The Inmate Systems department is responsible for the computation of inmate sentences. An inmate will be given a copy of his sentence computation soon as it is prepared. Any questions about good time, jail time credit, parole eligibility, full term dates, release dates, or periods of supervision, are resolved by staff upon inmate request for clarification or during Records Office open house hours which are posted on the institution bulletin boards.

Fines and Costs

In addition to jail time, the court may impose committed or non-committed fines and/or costs. Committed fines mean that the inmate will stay in prison until the fine is paid, makes arrangements to pay the fine, or qualifies for release under the provisions of Title 18 USC, Section 3569 (pauper's oath). Non-committed fines have no condition of imprisonment based on payment of fines or costs. Payments for a non-committed fine or cost is not required for release from prison or transfer to a contract community correction center.

Detainers

Warrants (or certified copies of Warrants) based on pending charges, overlapping, consecutive, or unsatisfied sentences in federal, state, or military jurisdictions, will be accepted as detainers. Detainers and untried charges can have an effect on institutional programs. Therefore, it is very important that the inmate initiate efforts to clear up these cases to the degree he can.

Case management staff may give assistance to offenders in their efforts to have detainers against them disposed of, either by having the charges dropped, by restoration to probation or parole status, or by arrangement for concurrent service of the state sentence. The degree to which the staff can assist in such matters as these will depend on individual circumstances.

Federal and state detainers may be quickly processed under the procedures of the "Interstate Agreement on Detainers." This agreement applies to all detainers based on pending charges which have been lodged against an inmate by a "member" state, including the U.S. Government, regardless of when the detainer was lodged. For an inmate to use this procedure, the warrant

must be lodged with the institution. If no detainer is actually lodged at the institution, but the inmate knows of pending charges, it is important for the inmate to contact the court and district attorney because, in some states, the detainer notice may start the time running for a Speedy Trial Act agreement.

Good Conduct Good Time

This applies to inmates sentenced for an offense committed after November 1, 1987. The Comprehensive Crime Control Act became law November 1, 1987. The two most significant changes in the sentencing statutes deal with Good Time and parole issues. There are no provisions under the new law for parole. The only Good Time available will be fifty-four (54) days of good conduct time for each full year served. This may not be awarded until the end of the year, and may be awarded in part or in whole, contingent upon behavior during the year. Once awarded, it is vested and may not be forfeited. There is no statutory Good Time or extra Good Time for inmates being sentenced for crimes committed after November 1, 1987.

THE GOOD TIME DISCUSSIONS BELOW DO NOT APPLY TO INMATES SENTENCED UNDER THE NEW SENTENCING GUIDELINES.

Good Time

Good Time awarded by the Bureau of Prisons under statutes enacted prior to November 1, 1987, has the effect of reducing the stated term of the sentence—that is, it advances the date when release will be mandatory if the offender is not paroled at an earlier date. The award of Good Time does not in itself advance the offender's release date. It has that effect only if the offender would not otherwise be paroled before the mandatory date.

The behavior for which Good Time is awarded may also be considered by the Parole Commission in setting a parole date. This is not always done; however, even when it is, the extent of the benefit to the offender may not be equivalent to the Good Time earned.

Statutory Good Time

Under 18 U.S. Code 4161, an offender sentenced to a definite term of six months or more is entitled a deduction from his term, computed as follows, if the offender has faithfully observed the rules of the institution and has not been disciplined:

Not greater than one year - 5 days for each month of the not less than six months or more than one year sentence.

More than 1 year, less than 3 years - 6 days for each month of the stated sentence.

At least 3 years, less than 5 years - 7 days for each month of the stated sentence.

At least 5 years, less than 10 years - 8 days for each month of the stated sentence.

10 years or more - 10 days for each month of the stated sentence.

At the beginning of a prisoner's sentence, the full amount of statutory good time is credited, subject to forfeiture if the prisoner commits disciplinary infractions.

If the sentence is for five years or longer, 18 USC 4206 {d} requires the Parole Commission to release an offender after he has served two-thirds of the sentence, unless the Commission determines that he has seriously violated Bureau of Prisons rules or regulations or that there is a reasonable probability that he will commit a crime. For offenders serving sentences of five to ten years, this provision may mandate release before the date established by subtracting good time from the sentence.

Statutory Good Time does not apply to life sentences or to those few inmates remaining who were sentenced under the Youth Corrections Act. It applies to a split sentence if the period of confinement is exactly six months; a shorter period does not qualify for good time under the statute, and a longer period cannot be a part of a split sentence.

The following applies only to inmates sentenced for an offense committed prior to November 1, 1987.

Extra Good Time

The Bureau of Prisons awards extra good time credit for performing exceptionally meritorious service, or for performing duties of outstanding importance, or for employment in an industry or camp. An inmate may earn only one type of good time award at a time (e.g., an inmate earning industrial or Camp good time is not eligible for meritorious good time), except that a lump sum award may be given in addition to another extra good time award. Neither the Warden nor the Discipline Hearing Officer may forfeit or withhold extra good time.

The Warden may disallow or terminate the awarding of any type of Extra Good Time (except for lump sum awards), but only in a non-disciplinary context and only upon recommendation of staff. The Discipline Hearing Officer may disallow or terminate the awarding of any type of Extra Good Time, (except lump sum awards) as a disciplinary sanction. Once an awarding of meritorious good time has been terminated, the Warden must approve a new staff recommendation in order for the award to recommence. A "disallowance" means that an inmate does not receive an Extra Good Time award for only one calendar month. A "disallowance" must be for the entire amount of extra good time for that calendar month. There may be no partial disallowance. A decision to disallow or terminate extra good time may not be suspended pending future consideration. A retroactive award of meritorious good time may not include a month in which Extra Good Time has been disallowed or terminated.

Community Corrections Center Good Time

Extra good time for an inmate in a Federal or contract Community Corrections Center is awarded automatically beginning on arrival at that facility and continuing as long as the inmate is confined to the Center, unless the award is disallowed.

Camp Good Time

An inmate assigned to a camp is automatically awarded Extra Good Time, beginning on the date of commitment to the camp, and continuing as long as the inmate is assigned to the camp unless the award is disallowed.

Lump Sum Awards

Any staff member may recommend to the Warden the approval of an inmate for a lump sum award of Extra Good Time. Such recommendations must be for an exceptional act or service that is not a part of a regularly assigned duty. The Warden may make lump sum awards of Extra Good Time of not more than thirty (30) days. If the recommendation is for more than thirty days, and the Warden agrees, the Warden will refer the recommendation to the Regional Director, who may approve the award.

No award will be approved if the award would be more than the maximum number of days allowed less than 18 USC 4162. The actual length of time served on the sentence, including jail credit time, is the basis on which the maximum amount of the award is calculated. Any Extra Good Time already earned will be subtracted from this stated maximum. Staff may recommend lump sum awards of extra good time for the following reasons:

An act of heroism.

Voluntary acceptance and satisfactory performance of an unusually hazardous assignment.

An act which protects the lives of staff or inmates or the property of the United States. This is to be an act and not merely the providing of information in custodial or security matters.

A suggestion which results in substantial improvement of a program or operation, or which results in significant savings.

Any other exceptional or outstanding service.

Good Time Procedures

Extra Good Time is awarded at a rate of three days per month during the first twelve months, and at the rate of five days per month thereafter (i.e., the first twelve months, as stated, means 11

months and 30 days -Day for Day - of earning Extra Good Time before an inmate can start earning five days per month. For example, if an inmate was to stop working, transfer from Industry to an institution job, or if good time was terminated for any reason, the time that the inmate is not earning good time does not count in the calculation of the first twelve months. If the beginning or termination date of an Extra Good Time award occurs after the first day of the month, a partial award of days is made. An inmate may be awarded Extra Good Time even though some or all of the inmate's statutory good time has been forfeited or withheld.

Extra Good Time is not automatically discontinued while an inmate is hospitalized, on furlough, out of the institution on a writ of Habeas Corpus, or removed under the Interstate Agreement on Detainers Act. Extra Good Time may be terminated or disallowed during such absences if the Warden finds that the inmate's behavior warrants such actions.

An inmate committed for civil contempt is not entitled to extra good time deductions while serving the civil contempt sentence.

An inmate in an Extra Good Time earning status may not waive or refuse extra good time credits.

Once Extra Good Time is awarded, it becomes vested and may not be forfeited or withheld or retroactively terminated or disallowed.

Parole

Parole is release from incarceration under conditions established by the U.S. Parole Commission. Parole is not a pardon or an act of clemency. A parolee remains under the supervision of a U.S. Probation Officer until the expiration of his full term.

Federal inmates sentenced prior to 1987 are ordinarily permitted an opportunity to appear before the Parole Commission within 120 days of commitment (EXEMPTIONS: inmates sentenced before September 6, 1977 and inmates with a minimum parole eligibility of ten years). Inmates sentenced in the District of Columbia Superior Court who are eligible for parole will normally receive a parole hearing 180 days prior to their parole eligibility date. If the inmate chooses not to appear before the Parole Board for the initial hearing, a waiver must be given to the Case Manager prior to the time of the scheduled parole hearing. This waiver will be made part of the Parole Commission file and the inmate's central file.

All inmates who previously waived a parole hearing are eligible to appear before the Parole Board at any regularly scheduled hearing after they waive. Application for a parole hearing must be made at least 60 days before the first day of the month of the hearings. The Parole Board conducts hearings at most Bureau institutions every two months.

Applications to the Parole Commission for a hearing is the responsibility of the inmate, but in

certain cases the Unit Team will assist the inmate if necessary. Application forms may be obtained from the Case Manager.

Following the hearing, the inmate will be advised of the tentative decision reached in the case by the hearing examiners. The recommendations of the hearing examiner must be confirmed by the Regional Office of the Parole Board. This confirmation usually takes three to four weeks and is made through the mail on a form called a "Notice of Action." Federal inmates may appeal a decision made the Parole Commission by obtaining the appropriate forms from the Case Manager. Inmates with a District of Columbia Superior Court case can not appeal a decision made by the Parole Commission. If granted a presumptive parole date (a parole date more than six months following the hearing), a parole progress report will be sent to the Parole Board three to six months before the parole date.

Parole may be granted to a detainer or for the purpose of deportation. The inmate should have an approved residence and an approved employer before being released on parole.

Release Planning

If granted parole by the U.S. Parole Commission, the Commission will require an approved parole plan prior to release. An approved parole plan, consists of an offer of employment and a place to reside.

The job must pay at least a minimum wage and normally may not require extensive travel. The place to reside must be a reputable establishment, but can be almost anywhere (parents, wife, friend, YMCA, etc.) The proposed parole plan is thoroughly investigated by the U.S. Probation Officer and must be approved.

The parole plan is part of the material which is submitted in connection with the parole hearing. The Unit Team submits the inmate's release plans to the U.S. Probation Officer approximately three to six months before the scheduled parole date.

Residential Reentry Centers (RRC)

Residential Reentry Centers, commonly referred to as "halfway houses," provide suitable residence, structured programs, job placement, and counseling, while the inmate's activities are closely monitored. All Residential Reentry Centers offer drug testing and counseling for alcohol and drug-related problems. During their stay, inmates are required to pay a subsistence charge to help defray the cost of their confinement; this charge is 25% of their gross income, not to exceed the average daily costs of their incarceration. Failure to make subsistence payments may result in disciplinary action.

These contract facilities, located throughout the United States, provide two program components: the Community Corrections Component and the Prerelease Component. Theses RRC's provide

an excellent transitional environment for inmates nearing the end of their sentences. The level of structure and supervision assures accountability and program opportunities in employment counseling and placement, substance abuse, and daily life skills.

One reason for referring an inmate to a RRC is to increase public protection by aiding the transition of the offender into the community. Participating in community-based transitional services may reduce the likelihood of an inmate with limited resources from recidivism, whereas an inmate who is released directly from the institution to the community may return to a criminal lifestyle. While clearly dangerous inmates should be separated from the community until completing their sentences, other eligible inmates should generally be referred to RRC's to maximize the chances of successful reintegration into society. An inmate may be eligible to receive up to 180 days placement, depending on their specific release needs and their release preparation date.

The Adam Walsh Child Protection and Safety Act

The Adam Walsh Child Protection and Safety Act (Pub.L. 109-248) was signed into law on July 27, 2006. The legislation organizes sex offenders into 3 tiers, and mandates that Tier 3 offenders update their whereabouts every 3 months. It makes failure to register and update information a felony. It also creates a national sex offender registry and instructs each state and territory to apply identical criteria for posting offender data on the Internet (i.e., offender's name, address, date of birth, place of employment, photograph, etc.).

Other elements:

- Gives the U.S. Attorney General the authority to apply the law retroactively (cf. ex post facto law).

- Establishes a national database which will incorporate the use of DNA evidence collection and tracking of convicted sex offenders with Global Positioning System technology.

- Increases the mandatory minimum incarceration period of 25 years for kidnapping or maiming a child and 30 years for sex with a child younger than 12 or for sexually assaulting a child between 13 and 17 years old.

- Increases the penalties for sex trafficking of children and child prostitution.

- Widens funding to assist local law enforcement in tracking sexual exploitation of minors on the Internet.

- Creates a National Child Abuse Registry to protect children from being adopted by convicted child abusers.

- Allows the Attorney General to seek the federal civil commitment of sexually dangerous persons until such time as they no longer pose a threat to other persons.

Conclusion

Hopefully this information will assist you during your incarceration and help clarify any concerns which you may encounter.

INMATE RIGHTS AND RESPONSIBILITIES §541.12

RIGHTS

1. You have the right to expect that as a human being you will be treated respectfully, impartially, and fairly by all personnel.
2. You have the right to be informed of the rules, procedures, and schedules concerning the operation of the institution.
3. You have the right to freedom of religious affiliation, and voluntary religious worship.
4. You have the right to health care, which includes nutritious meals, proper bedding and clothing, and a laundry schedule for cleanliness of the same, an opportunity to shower regularly, proper ventilation for warmth and fresh air, a regular exercise period, toilet articles and medical and dental treatment.
5. You have the right to visit and correspond with family members, and friends, and correspond with members of the news media in keeping with Bureau rules and institution guidelines.
6. You have the right to unrestricted and confidential access to the courts by correspondence (on matters such as the legality of your conviction, civil matters, pending criminal cases, and conditions of your imprisonment.)

RESPONSIBILITIES

1. You have the responsibility to treat others, both employees and inmates, in the same manner.
2. You have the responsibility to know and abide by them.
3. You have the responsibility to recognize and respect the rights of others in this regard.
4. It is your responsibility not to waste food, to follow the laundry and shower schedule, maintain neat and clean living quarters, to keep your area free of contraband, and to seek medical and dental care as you may need it.
5. It is your responsibility to conduct yourself properly during visits, not to accept or pass contraband, and not to violate the law or Bureau rules or institution guidelines through your correspondence.
6. You have the responsibility to present honestly and fairly your petitions, questions, and problems to the court.

7. You have the right to legal counsel from an attorney of your choice by interviews and correspondence.

[RIGHTS

8. You have the right to participate in the use of law library reference materials to assist you in resolving legal problems. You also have the right to receive help when it is available through a legal assistance program.

9. You have the right to a wide range of reading materials for materials for educational purposes and for your own enjoyment. These materials may include magazines and newspapers sent from the community, with certain restrictions.

10. You have the right to participate in education, vocational training and employment as far as resources are available, and in keeping with your interests, needs, and abilities.

11. You have the right to use your funds for commissary and other purchases, consistent with institution security and good order, for opening bank and/or savings accounts, and for assisting your family.

7. It is your responsibility to use the services of an attorney honestly and fairly.]

RESPONSIBILITIES

8. It is your responsibility to use these resources in keeping with the procedures and schedule prescribed and to respect the rights of other inmates to the use of the materials and assistance.

9. It is your responsibility to seek and utilize such materials for your personal benefit, without depriving others of their equal rights to the use of this material.

10. You have the responsibility to take advantage of activities which may help you live a successful and law-abiding life within the institution and in the community. You will be expected to abide by the regulations governing the use of such activities.

11. You have the responsibility to meet your financial and legal obligations, including, but not limited to, court-imposed assessments, fines, and restitution. You also have the responsibility to make use of your funds in a manner consistent with your release plans, your family needs, and for other obligations that you may have.]

**[TABLE 3 - PROHIBITED ACTS AND DISCIPLINARY SEVERITY SCALE
GREATEST CATEGORY]**

The UDC shall refer all Greatest Severity Prohibited Acts to the DHO with recommendations as to an appropriate disposition.

CODE	PROHIBITED ACTS	SANCTIONS
100	Killing	A. Recommend parole date rescission or retardation.
101	Assaulting any person (includes sexual assault) or an armed assault on the institution's secure perimeter (a charge for assaulting any person at this level is to be used only when serious physical injury has been attempted or carried out by an inmate)	B. Forfeit earned statutory good time or non-vested good conduct time (up to 100%) and/or terminate or disallow extra good time (an extra good time or good conduct time sanction may not be suspended).
102	Escape from escort; escape from a secure institution (low, medium, and high security level and administrative institutions); or escape from a minimum institution <u>with</u> violence	B.1 Disallow ordinarily between 50 and 75% (27-41 days) of good conduct time credit available for year (a good conduct time sanction may not be suspended).
103	Setting a fire (charged with this act in this category only when found to pose a threat to life or a threat of serious bodily harm or in furtherance of a prohibited act of Greatest Severity, e.g. in furtherance of a riot or escape; otherwise the charge is properly classified Code 218, or 329)	C. Disciplinary Transfer (recommend). D. Disciplinary segregation (up to 60 days). E. Make monetary restitution. F. Withhold statutory good time (Note - can be in addition to A through E - cannot be the only sanction executed). G. Loss of privileges (Note - can be in addition to A through E - cannot be the only sanction executed).]

[TABLE 3 (Cont'd)
GREATEST CATEGORY (Cont'd)

CODE	PROHIBITED ACTS	SANCTIONS
104	Possession, manufacture, or introduction of a gun, firearm, weapon, sharpened instrument, knife, dangerous chemical, explosive or any ammunition	Sanctions A-G]
105	Rioting	
106	Encouraging others to riot	
107	Taking hostage(s)	
108	Possession, manufacture, or introduction of a hazardous tool (Tools most likely to be used in an escape or escape attempt or to serve as weapons capable of doing serious bodily harm to others; or those hazardous to institutional security or personal safety; e.g., hack-saw blade)	
109	(Not to be used)	
110	Refusing to provide a urine sample or to take part in other drug abuse testing	
111	Introduction of any narcotics, marijuana, drugs, or related paraphernalia not prescribed for the individual by the medical staff	
112	Use of any narcotics, marijuana, drugs, or related paraphernalia not prescribed for the individual by the medical staff	
113	Possession of any narcotics, marijuana, drugs, or related paraphernalia not prescribed for the individual by the medical staff	
197	Use of the telephone to further criminal activity.	

[TABLE 3 (Cont'd)
GREATEST CATEGORY (Cont'd)

CODE	PROHIBITED ACTS	SANCTIONS
198	Interfering with a staff member in the performance of duties. <u>(Conduct must be of the Greatest Severity nature.)</u> This charge is to be used only when another charge of greatest severity is not applicable.	Sanctions A-G]
199	Conduct which disrupts or interferes with the security or orderly running of the institution or the Bureau of Prisons. <u>(Conduct must be of the Greatest Severity nature.)</u> This charge is to be used only when another charge of greatest severity is not applicable.	

[TABLE 3 (Cont'd)]
HIGH CATEGORY

CODE	PROHIBITED ACTS	SANCTIONS
200	Escape from unescorted Community Programs and activities and Open Institutions (minimum) and from outside secure institutions-- <u>without</u> violence.	A. Recommend parole date rescission or retardation. B. Forfeit earned statutory good time or non-vested good conduct time up to 50% or up to 60 days, whichever is less, and/or terminate or disallow extra good time (an extra good time or good conduct time sanction may not be suspended)
201	Fighting with another person	
202	(Note to be used)	
203	Threatening another with bodily harm or any other offense	
204	Extortion, blackmail, protection: Demanding or receiving money or anything of value in return for protection against others, to avoid bodily harm, or under threat of informing	B.1 Disallow ordinarily between 25 and 50% (14-27 days) of good conduct time credit available for year (a good conduct time sanction may not be suspended).
205	Engaging in sexual acts	C. Disciplinary Transfer (recommend).
206	Making sexual proposals or threats to another	D. Disciplinary segregation (up to 30 days).
207	Wearing a disguise or a mask	E. Make monetary restitution.
208	Possession of any unauthorized locking device, or lock pick, or tampering with or blocking any lock device (includes keys), or destroying, altering, interfering with, improperly using, or damaging any security device, mechanism, or procedure	F. Withhold statutory good time]
209	Adulteration of any food or drink	
210	(Not to be used)	
211	Possessing any officer's or staff clothing	

[TABLE 3 (Cont'd)
HIGH CATEGORY (Cont'd)]

CODE	PROHIBITED ACTS	SANCTIONS	
212	Engaging in, or encouraging a group demonstration	G.	Loss of privileges: commissary, movies, recreation, etc.
213	Encouraging others to refuse to work, or to participate in a work stoppage	H.	Change housing (quarters)
214	(Not to be used)	I.	Remove from program and/or group activity
215	Introduction of alcohol into BOP facility	J.	Loss of job
216	Giving or offering an official or staff member a bribe, or anything of value	K.	Impound inmate's personal property
		L.	Confiscate contraband
217	Giving money to, or receiving money from, any person for purposes of introducing contraband or for any other illegal or prohibited purposes	M.	Restrict to quarters]
218	Destroying, altering, or damaging government property, or the property of another person, having a value in excess of \$100.00 or destroying, altering, damaging life-safety devices (e.g., fire alarm) regardless of financial value		
219	Stealing (theft; this includes data obtained through the unauthorized use of a communications facility, or through the unauthorized access to disks, tapes, or computer printouts or other automated equipment on which data is stored.)		

[TABLE 3 (Cont'd)]
HIGH CATEGORY (Cont'd)

CODE	PROHIBITED ACTS	SANCTIONS
220	Demonstrating, practicing, or using martial arts, boxing (except for use of a punching bag), wrestling, or other forms of physical encounter, or military exercises or drill (except for drill authorized and conducted by staff)	Sanctions A-M]
221	Being in an unauthorized area with a person of the opposite sex without staff permission	
222	Making, possessing, or using intoxicants	
223	Refusing to breathe into a breathalyser or take part in other testing for use of alcohol	
224	Assaulting any person (charged with this act only when less serious physical injury or contact has been attempted or carried out by an inmate)	
297	Use of the telephone for abuses other than criminal activity (e.g., circumventing telephone monitoring procedures, possession and/or use of another inmate's PIN number; third-party calling; third-party billing; using credit card numbers to place telephone calls; conference calling; talking in code).	
298	Interfering with a staff member in the performance of duties. (<u>Conduct must be of the High Severity nature.</u>) This charge is to be used only when another charge of the high severity is not applicable.	
299	Conduct which disrupts or interferes with the security or orderly running of the institution or the Bureau of Prisons. (<u>Conduct must be of the High Severity nature.</u>) This charge is to be used only when another charge of high severity is not applicable.	

[TABLE 3 (Cont'd)
MODERATE CATEGORY

CODE	PROHIBITED ACTS	SANCTIONS
300	Indecent Exposure	A. Recommend parole date rescission or retardation.
301	(Not to be used)	
302	Misuse of authorized medication	B. Forfeit earned statutory good time or non-vested good conduct time up to 25% or up to 30 days, whichever is less, and/or terminate or disallow extra good time (an extra good time or good conduct time sanction may not be suspended).
303	Possession of money or currency, unless specifically authorized, or in excess of the amount authorized	
304	Loaning of property or anything of value for profit or increased return	B.1 Disallow ordinarily up to 25% (1-14 days) of good conduct time credit available for year (a good conduct time sanction may not be suspended).
305	Possession of anything not authorized for retention or receipt by the inmate, and not issued to him through regular channels	
306	Refusing to work, or to accept a program assignment	C. Disciplinary Transfer (recommend).
307	Refusing to obey an order of any staff member (May be categorized and charged in terms of greater severity, according to the nature of the order being disobeyed; e.g., failure to obey an order which furthers a riot would be charged as 105, Rioting; refusing to obey an order which furthers a fight would be charged as 201, Fighting; refusing to provide a urine sample when ordered would be charged as Code 110)	D. Disciplinary segregation (up to 15 days). E. Make monetary restitution. F. Withhold statutory good time.]
308	Violating a condition of a furlough	
309	Violating a condition of a community program	
310	Unexcused absence from work or any assignment	
311	Failing to perform work as instructed by the supervisor	
312	Insolence towards a staff member	

[TABLE 3 (Cont'd)
MODERATE CATEGORY (Cont'd)

CODE	PROHIBITED ACTS		SANCTIONS
313	Lying or providing a false statement to a staff member.	G.	Loss of privileges: commissary, movies, recreation, etc.
314	Counterfeiting, forging or unauthorized reproduction of any document, article of identification, money, security, or official paper. (May be categorized in terms of greater severity according to the nature of the item being reproduced; e.g., counterfeiting release papers to effect escape, Code 102 or Code 200)	H.	Change housing (quarters).
		I.	Remove from program and/or group activity.
		J.	Loss of job.
		K.	Impound inmate's personal property.
		L.	Confiscate contraband.
315	Participating in an unauthorized meeting or gathering	M.	Restrict to quarters.
316	Being in an unauthorized area	N.	Extra duty.]
317	Failure to follow safety or sanitation regulations		
318	Using any equipment or machinery which is not specifically authorized		
319	Using any equipment or machinery contrary to instructions or posted safety standards		
320	Failing to stand count		
321	Interfering with the taking of count		
322	(Not to be used)		
323	(Not to be used)		
324	Gambling		
325	Preparing or conducting a gambling pool		
326	Possession of gambling paraphernalia		
327	Unauthorized contacts with the public		
328	Giving money or anything of value to, or accepting money or anything of value from: another inmate, or any other person without staff authorization		

[TABLE 3 (Cont'd)
MODERATE CATEGORY (Cont'd)]

CODE	PROHIBITED ACTS	SANCTIONS
329	Destroying, altering or damaging government property, or the property of another person, having a value of \$100.00 or less	Sanctions A-N]
330	Being unsanitary or untidy; failing to keep one's person and one's quarters in accordance with posted standards	
331	Possession, manufacture, or introduction of a non-hazardous tool or other non-hazardous contraband (Tool not likely to be used in an escape or escape attempt, or to serve as a weapon capable of doing serious bodily harm to others, or not hazardous to institutional security or personal safety; Other non-hazardous contraband includes such items as food or cosmetics)	
332	Smoking where prohibited	
397	Use of the telephone for abuses other than criminal activity (e.g., conference calling, possession and/or use of another inmate's PIN number, three-way calling, providing false information for preparation of a telephone list).	
398	Interfering with a staff member in the performance of duties. (<u>Conduct must be of the Moderate Severity nature.</u>) This charge is to be used only when another charge of moderate severity is not applicable.	
399	Conduct which disrupts or interferes with the security or orderly running of the institution or the Bureau of Prisons. (<u>Conduct must be of the Moderate Severity nature.</u>) This charge is to be used only when another charge of moderate severity is not applicable.	

[TABLE 3 (Cont'd)]
LOW MODERATE CATEGORY

CODE	PROHIBITED ACTS		SANCTIONS
400	Possession of property belonging to another person	B.1	Disallow ordinarily up to 12.5% (1-7 days) of good conduct time credit available for year (to be used only where inmate found to have committed a second violation of the same prohibited act within 6 months); Disallow ordinarily up to 25% (1-14 days) of good conduct time credit available for year (to be used only where inmate found to have committed a third violation of the same prohibited act within 6 months) (a good conduct time sanction may not be suspended).]
401	Possessing unauthorized amount of otherwise authorized clothing		
402	Malingering, feigning illness		
403	Not to be used		
404	Using abusive or obscene language		
405	Tattooing or self-mutilation		
406	Not to be Used		(See Chapter 4 Page 16 for VCCLEA violent and PLRA inmates.)
407	Conduct with a visitor in violation of Bureau regulations (Restriction, or loss for a specific period of time, of these privileges may often be an appropriate sanction G)	[E.	Make monetary restitution.
		F.	Withhold statutory good time.
		G.	Loss of privileges: commissary, movies, recreation, etc.
408	Conducting a business	H.	Change housing (quarters).
409	Unauthorized physical contact (e.g., kissing, embracing)	I.	Remove from program and/or group activity.]
410	Unauthorized use of mail (Restriction, or loss for a specific period of time, of these privileges may often be an appropriate sanction G) (May be categorized and charged in terms of greater severity, according to the nature of the unauthorized use; e.g., the mail is used for planning, facilitating, committing an armed assault on the institution's secure perimeter, would be charged as Code 101, Assault)		

[TABLE 3 (Cont'd)
LOW MODERATE CATEGORY (Cont'd)

CODE	PROHIBITED ACTS	SANCTIONS	
		J.	Loss of job.
497	Use of the telephone for abuses other than criminal activity (e.g., exceeding the 15-minute time limit for telephone calls; using the telephone in an unauthorized area; placing of an unauthorized individual on the telephone list).	K.	Impound inmate's personal property.
		L.	Confiscate contraband.
		M.	Restrict to quarters.
		N.	Extra duty.
498	Interfering with a staff member in the performance of duties. <u>Conduct must be of the Low Moderate Severity nature.)</u> This charge is to be used only when another charge of low moderate severity is not applicable.	O.	Reprimand.
		P.	Warning.
499	Conduct which disrupts or interferes with the security or orderly running of the institution or the Bureau of Prisons. <u>(Conduct must be of the Low Moderate severity nature.)</u> This charge is to be used only when another charge of low moderate severity is not applicable.		

NOTE: Aiding another person to commit any of these offenses, attempting to commit any of these offenses, and making plans to commit any of these offenses, in all categories of severity, shall be considered the same as a commission of the offenses itself.]

A&O BOOKLET ATTACHMENT

FEDERAL CORRECTIONAL INSTITUTION, MCDOWELL, WEST VIRGINIA, 24801

VISITING REGULATIONS

_____ (Visitor's Name), has been approved to visit you during your stay at Beckley. In addition to your assuming reasonable responsibility for the proper conduct of a visit, you are also responsible for forwarding this form to the above visitor so that she/he will be aware of our visiting regulations.

IDENTIFICATION. The Front Lobby Officer will require positive photo identification of visitors. Acceptable forms of identification are valid driver's license or State Identification Cards and Passports.

VISITING HOURS. Regular visiting hours at the FCI are from 8:00 a.m. to 3:00 p.m. on Saturday, Sunday, Monday, and all Federal Holidays. Regular visiting hours at the Camp are from 8:00 a.m. to 3:00 p.m. on Saturday, Sunday, Monday, and all Federal Holidays. Visitors will not be processed into the FCI after 2:00 p.m. Visitors will not be processed into the Camp Visiting Room after 1:30 p.m. Visitor processing at the Camp during visiting hours is temporarily suspended during counts. Please refrain from arriving on the institution grounds before the scheduled visiting periods. When a visit is over, all visitors must leave the institution grounds immediately. The Visiting Room Officer after consulting with the Operations Lieutenant and the Duty Officer may terminate a visit because of overcrowded conditions or improper conduct of the visitor, including children and/or the inmate. The visiting hours for Special Housing Unit inmates are by appointment only on Saturday, Sunday, Monday, and all Federal Holidays from 8:00 a.m. to 3:00 p.m.

WHO MAY VISIT. Inmates will be permitted to visit with Authorized visitors only. We will notify persons authorized to visit, as we are doing in your case. Children under 16 years must be accompanied by an adult member of the family. Children between the ages of 16 and 17 years of age who are not accompanied by a parent, legal guardian, or immediate family member at least 18 years of age must have the written approval of a parent, legal guardian, or family member at least 18 years of age prior to visitation. Other persons not approved who wish to visit an inmate for either personal or business reasons must write the institution at least two weeks in advance of the visit and explain the circumstances. If a visit is approved, an authorization will be sent for presentation on arrival. Inmates are allowed a maximum of five visitors, including children, at one time in the visiting room.

A split visit is defined as a visit when an inmate has five visitors in the Visiting Room and one or more visitors leave the Visiting Room and are replaced by the same number, or fewer, of authorized visitors. On split visits, only one exchange of visitors for that inmate will normally be approved.

REGULATIONS. The right to make future visits will be denied to anyone who tries to circumvent or evade regulations. The introduction or attempted introduction of contraband into a federal penal institution is in violation of Title 18, U.S. Code, Section 1791.

It is illegal for any person to possess contraband. Contraband is defined as the introduction or attempted introduction into or upon the grounds of any federal penal or correctional institution, or the taking or attempt to take or send there from, anything whatsoever without the knowledge and consent of the Warden or Superintendent of such federal penal or correctional institution.

Contraband items include, but are not limited to guns, knives, tools, ammunition, explosives, hazardous chemicals, gas, narcotics, drugs or intoxicants. Prior to admission, visitors must request and obtain permission of the Warden or her staff representative to bring any item upon the institution grounds. Failure to adhere to this policy, is a federal crime

ALL VISITORS ARE SUBJECT TO SEARCH PRIOR TO ENTERING AND UPON DEPARTING THE INSTITUTION.

All visitors wishing to visit inmates within the FCI, will remove all personal items containing metal , i.e. coins, keys, and must clear the walk-through metal detector prior to being admitted for visiting. Visitors will refrain from wearing clothing which would activate the metal detector.

Keys and keychains will be secured in lockers. Clothing items that contain metal, i.e. underwire bras, cannot be removed before passing through the metal detector. The use of a camera or recording equipment without written consent of the warden is strictly prohibited. No written messages may be exchanged during a visit.

All radios, tape players or recorders, cellular telephones, or other electronic equipment must remain in the lockers provided in the front lobby or stored in the visitors vehicle.

DO NOT BRING FOOD OF ANY KIND into the institution. Sandwiches, soups, beverages, etc., are available from vending machines.

All visitors must be appropriately attired including shoes. Adult visitors are to refrain from wearing apparel that is overly-revealing or suggestive (i.e., excessively tight-fitting or revealing slacks, mini skirts, shorts, halter tops, strapless dresses/tops, spandex clothing, sleeveless shirts). Hats, bandanas, and scarves are not authorized. Visitors may be denied a visit if supervisory staff (i.e., Lieutenant, Institution Duty Officer, etc.) determine a visitor's dress is inappropriate for the institution setting.

Socially acceptable gestures of communication and affection, such as shaking hands, kissing and embraces are allowed within in the limits of good taste, and only at the at the beginning and at the end of a visit. Indecent, annoying or excessive contact will not be tolerated. Inmates or visitors who violate visiting regulations may have their visit terminated or be placed under closer supervision at the discretion of the Visiting Room Officer.

All areas of the Visiting Room, including restrooms, may be monitored to prevent the passage of contraband, and ensure the security and welfare of all concerned.

Children are expected to remain near to and be controlled by the adults bringing them.

IT IS NOT PERMISSIBLE TO BRING PACKAGES OR GIFTS OF ANY KIND.

No written messages or photographs may be exchanged during a visit. Documents or papers may not be examined or signed in the Visiting Room. The latter should be handled by correspondence (as a matter of record).

All food items purchased in the Visiting Room must be consumed during the visit. Food items will not be permitted to be retained by the visitor or the inmate at the conclusion of the visit. No lunch packages or thermos bottles will be allowed. Vending machines have been provided.

No gifts or clothing may be left for an inmate

MONEY CANNOT BE ACCEPTED FOR DEPOSIT TO THE INMATE'S TRUST FUND ACCOUNT. This should be handled by mail, using **POSTAL MONEY ORDERS** made out to the inmate.

IT IS A FEDERAL CRIME TO BRING UPON THESE PREMISES ANY WEAPONS, AMMUNITION, INTOXICANTS, DRUGS OR CONTRABAND.

It is illegal for any person to introduce or attempt to introduce into or upon the grounds of any federal penal institution, to take, or attempt to take or send therefrom anything whatsoever without the knowledge or consent of the Warden. The law provides that violators may receive 20 years or a \$250,000 fine and/or both.

It is a federal crime to bring upon these premises weapons, ammunition, intoxicating drugs or contraband. All persons and packages are subject to search (Title 18, U.S. Code, Sections 1791 and 1792).

Below are general instructions governing visits at this institution:

ONLY THOSE ITEMS LISTED BELOW ARE AUTHORIZED TO BE TAKEN INTO THE VISITING ROOM

- | | |
|---|---|
| 1. Clear Plastic Purse | 6. Two Diapers |
| 2. Money (reasonable amounts based on number of visitors) | 7. Baby Clothes (one change of clothing) |
| 3. Comb (no long/sharp handles) | 8. Sweaters |
| 4. Baby Bottles | 9. Heart Medication |
| 5. Baby Food | 10. Jewelry Normally Worn |
| | 11. Coats/Jackets Will Be Secured In Lockers. |

OTHER:

All areas of the Visiting Room have been designated as non-smoking. Cigarettes will not be permitted to be brought into the visiting area.

All medication must be approved by the on duty operations Lieutenant and the Front Lobby Officer.

Persons not approved to visit, but who accompany approved visitors, are not permitted to remain in the institution parking lot and must leave the grounds.

All books, magazines and newspapers must be mailed into the institution from the publishing company. Send to:

Inmate's Name and Register Number	Inmate's Name and Register Number
Federal Correctional Institution	Federal Prison Camp
Post Office Box 1009	P.O. Box 1009
McDowell, West Virginia 24801	McDowell, West Virginia 24801

LOCATION.

Federal Correctional Institution-McDowell
101 Federal Drive.
Welch, WV 24801

From Lewisburg on I/64 West, Take I/77N Exit 42 (Mabscott/Sophia Exit). Take WV 16/Robert C. Byrd Drive, Exit 42 toward WV-97/Mabscott. Merge onto WV-16S/Robert C. Byrd Drive toward WV-97 W/Sophia/Mullens. Stay straight to go onto WV-121 S/Coalfields EXPY. Turn Right onto Slab Fork RD/CR-34. Turn left to stay on Slab Fork RD/CR-34. Slab Fork RD/CR-34 becomes WV-54/WV-97. Turn right onto WV-97, Turn left to stay on WV-97 then turn right to stay on WV-97. Turn left onto WV-10/WV-97/MainAve. Turn Left onto WV-10, then turn right onto WV-16 and turn right onto Federal Drive and follow the signs to the Institution or the Camp.

From Charleston on I/77 South toward Beckley. Take WV 16/Robert C. Byrd Drive, Exit 42 toward WV-97/Mabscott. Merge onto WV-16S/Robert C. Byrd Drive toward WV-97 W/Sophia/Mullens. Stay straight to go onto WV-121 S/Coalfields EXPY. Turn Right onto Slab Fork RD/CR-34. Turn left to stay on Slab Fork RD/CR-34. Slab Fork RD/CR-34 becomes WV-54/WV-97. Turn right onto WV-97, Turn left to stay on WV-97 then turn right to stay on WV-97. Turn left onto WV-10/WV-97/MainAve. Turn Left onto WV-10, then turn right onto WV-16S and turn right at Welch City Limits onto Federal Drive and follow the signs to the Institution or the Camp.

From Bluefield Take Route 52S to WV 16N Follow WV16 N and turn left on Federal Drive and follow the signs to the Institution or the Camp.

PUBLIC TRANSPORTATION TO THE MCDOWELL COUNTY AREA

1. Charleston Yeager Airport services the following airlines: U.S. Air, Delta Connection, United Express, and Northwest Airlines. Rental car information is available from the Yeager Airport through Avis, Budget, Hertz, and National Rental Car Companies by calling telephone number (304) 344-1159. Flight information can be received by calling your travel agent or local airport. The phone number for the Yeager Airport is (304) 345-0661. The Raleigh County Memorial Airport also provides flights directly into Beckley with limited service available. The phone number for the Beckley Airport is (304) 255-0476.
2. The "AAA" Travel service can also be contacted for travel information. Their toll free number is 1-800-924-1180. The local "AAA" phone number is (304) 255-4147.
3. Accommodations in the Beckley/Bluefield/Princeton Area:

Best Western Hotel 1939 Harper Road Beckley, WV (304) 252-0671	Holiday Inn Express 805 Oakvale Rd Princeton, WV (877) 276-1796	Sleep Inn& Suites 1015 Oakvale Rd. Princeton, WV (304) 431-2800	Count Gilu Motel 201 Stadium Dr. Welch, WV (304) 787-3250
Howard Johnson 1907 Harper Rd Beckley, WV (304) 255-5900	Comfort Inn US 19-460W Bluefield, WV (877) 233-4885	Pagoda Motel 1114 Harper Rd Beckley, WV (304) 253-7373	Best Western Harper Rd Beckley, WV (304) 252-0671
Holiday Inn 3350 Big Laurel Hwy Bluefield, WV (866) 270-270-5110	Mountain Motel 110 P.O. Box 639 Welch, WV (304) 732-9177	Fairfield Inn 125 Hylton Lane Beckley, WV (304) 252-8661	Country Inn & Suites 111 Halls Ridge Road Princeton, WV (304) 425-2200
Days Inn 347 Meadowfield Ln. Bluefield, WV (304) 425-8100	Bluefield Knights Inn 3144 E. Cumberland Rd. Bluefield, WV (304) 325-9131	Econo Lodge 3400 Cumberland Rd. Bluefield, WV (304) 327-8171	Comfort Inn 136 Ambrose Ln. Princeton, WV (304) 487-6101

**Intentionally
Left Blank.**

U. S. Department of Justice
Federal Bureau of Prisons

Sexually Abusive Behavior Prevention and Intervention



An Overview for Offenders

November 2009

You Have the Right to be Safe from Sexually Abusive Behavior.

While you are incarcerated, no one has the right to pressure you to engage in sexual acts.

You do not have to tolerate sexually abusive behavior or pressure to engage in unwanted sexual behavior from another inmate or a staff member. Regardless of your age, size, race, ethnicity, gender or sexual orientation, you have the right to be safe from sexually abusive behavior.

What Can You Do To Prevent Sexually Abusive Behavior

Here are some things you can do to protect yourself and others against sexually abusive behavior:

Carry yourself in a confident manner at all times. Do not permit your emotions (fear/anxiety) to be obvious to others.

Do not accept gifts or favors from others. Most gifts or favors come with strings attached to them.

Do not accept an offer from another inmate to be your protector.

Find a staff member with whom you feel comfortable discussing your fears and concerns.

Be alert! Do not use contraband substances such as drugs or alcohol; these can weaken your ability to stay alert and make good judgments.

Be direct and firm if others ask you to do something you don't want to do. Do not give mixed messages to other inmates regarding your wishes for sexual activity.

Stay in well lit areas of the institution.

Choose your associates wisely. Look for people who are involved in positive activities like educational programs, psychology groups, or religious services. Get involved in these activities yourself.

Trust your instincts. If you sense that a situation may be dangerous, it probably is. If you fear for your safety, report your concerns to staff.

What Can You Do if You Are Afraid or Feel Threatened?

If you are afraid or feel you are being threatened or pressured to engage in sexual behaviors, you should discuss your concerns with staff. Because this can be a difficult topic to discuss, some staff, like psychologists, are specially trained to help you deal with problems in this area.

If you feel immediately threatened, approach any staff member and ask for assistance. It is part of his/her job to ensure your safety. If it is a staff member that is threatening you, report your concerns immediately to another staff member that you trust, or follow the procedures for making a confidential report.

What Can You Do if You Are Sexually Assaulted?

If you become a victim of a sexually abusive behavior, **you should report it immediately to staff** who will offer you protection from the assailant. You do not have to name the inmate(s) or staff assailant(s) in order to receive assistance, but specific information may make it easier for staff to know how best to respond. You will continue to receive protection from the assailant, whether or not you have identified him or her (or agree to testify against him/her).

After reporting any sexual assault, you will be referred immediately for a medical examination and clinical assessment. Even though you may want to clean up after the assault **it is important to see medical staff BEFORE you shower, wash, drink, eat, change clothing, or use the bathroom.** Medical staff will examine you for injuries which may or may not be readily apparent to you. They can also check you for sexually transmitted diseases, pregnancy, if appropriate, and gather any physical evidence of assault. The individuals who sexually abuse or assault inmates can only be disciplined and/or prosecuted if the abuse is reported. **Regardless of whether your assailant is an inmate or a staff member, it is important to understand that you will never be disciplined or prosecuted for being the victim of a sexual assault.**

How Do You Report an Incident of Sexually Abusive Behavior?

It is important that you **tell a staff member if you have been sexually assaulted.** It is equally important to inform staff if you have witnessed sexually abusive behavior. You can tell your case manager, Chaplain, Psychologist, SIS, the Warden or any other staff member you trust.

BOP staff members are instructed to keep reported information confidential and only discuss it with the appropriate officials on a need-to-know basis concerning the inmate-victim's welfare and for law enforcement or investigative purposes. There are other means to confidentially report sexually abusive behavior if you are not comfortable talking with staff.

Write directly to the Warden, Regional Director or Director. You can send the Warden an Inmate Request to Staff Member (Cop-out) or a letter reporting the sexually abusive behavior. You may also send a letter to the Regional Director or Director of the Bureau of Prisons. To ensure confidentiality, use special mail procedures. **File an Administrative Remedy.** You can file a Request for Administrative Remedy (BP-9). If you determine your complaint is too sensitive to file with the Warden, you have the opportunity to file your administrative remedy directly with the Regional Director (BP-10). You can get the forms from your counselor or other unit staff. **Write the Office of the Inspector General (OIG)** which investigates allegations of staff misconduct. OIG is a component of the Department of Justice and is not a part of the Bureau of Prisons. The address is:

**Office of the Inspector General
P. O. Box 27606
Washington, D.C. 20530**

Understanding the Investigative Process

Once the sexually abusive behavior is reported, the BOP and/or other appropriate law enforcement agencies will conduct an investigation.

The purpose of the investigation is to determine the nature and scope of the abusive behavior. You may be asked to give a statement during the investigation. If criminal charges are brought, you may be asked to testify during the criminal proceedings.

Counseling Programs for Victims of Sexually Abusive Behavior

Most people need help to recover from the emotional effects of sexually abusive behavior. If you are the victim of sexually abusive behavior, whether recent or in the past, you may seek counseling and/or advice from a psychologist or chaplain. Crisis counseling, coping skills, suicide prevention, mental health counseling, and spiritual counseling are all available to you.

Management Program for Inmate Assailants

Anyone who sexually abuses/assaults others while in the custody of the BOP will be disciplined and prosecuted to the fullest extent of the law. If you are an inmate assailant, you will be referred to Correctional Services for monitoring. You will be referred to Psychology Services for an assessment of risk and treatment and management needs. Treatment compliance or refusal will be documented and decisions regarding your conditions of confinement and release may be effected. If you feel that you need help to keep from engaging in sexually abusive behaviors, psychological services are available.

Policy Definitions

Prohibited Acts: Inmates who engage in inappropriate sexual behavior can be charged with the following Prohibited Acts under the Inmate Disciplinary Policy:

Code 101/(A): Sexual Assault

Code 205/(A): Engaging in a Sex Act

Code 206/(A): Making a Sexual Proposal

Code 221/(A): Being in an Unauthorized Area with a Member of the Opposite Sex

Code 300/(A): Indecent Exposure

Code 404/(A): Using Abusive or Obscene Language

Staff Misconduct: The Standards of Employee Conduct prohibit employees from engaging in, or allowing another person to engage in sexual, indecent, profane or abusive language or gestures, and inappropriate visual surveillance of inmates. Influencing, promising or threatening an inmate's safety, custody, privacy, housing, privileges, work detail or program status in exchange for sexual favors is also prohibited.

What is sexually abusive behavior? According to federal law (Prison Rape Elimination Act of 2003) sexually abusive behavior is defined as:

a. **Rape:** the carnal knowledge, oral sodomy, or sexual assault with an object or sexual fondling of a person **FORCIBLY** or against that person's will; The carnal knowledge, oral sodomy, or sexual assault with an object or sexual fondling of a person not forcibly or against the person's will, where the victim is **incapable of giving consent** because of his/her youth or his/her temporary or permanent mental or physical incapacity; or The carnal knowledge, oral sodomy, or sexual assault with an object or sexual fondling of a person achieved through the **exploitation of the fear or threat** of physical violence or bodily injury.

Carnal Knowledge: contact between the penis and vulva or the penis and the anus, including penetration of any sort, however slight.

Oral Sodomy: contact between the mouth and the penis, the mouth and the vulva or the mouth and the anus.

b. **Sexual Assault with an Object:** the use of any hand, finger, object, or other instrument to penetrate, however slightly, the genital or anal opening of the body of another person (**NOTE:** This does NOT apply to custodial or

medical personnel engaged in evidence gathering or legitimate medical treatment, nor to health care provider's performing body cavity searches in order to maintain security and safety within the prison).

c. **Sexual Fondling**: the touching of the private body parts of another person (including the genitalia, anus, groin, breast, inner thigh, or buttocks) for the purpose of sexual gratification.

d. **Sexual Misconduct** (staff only): the use of indecent sexual language, gestures, or sexually oriented visual surveillance for the purpose of sexual gratification.

An incident is considered **Inmate-on-Inmate Abuse/Assault** when any sexually abusive behavior occurs between two or more inmates. An incident is considered **Staff-on-Inmate Abuse/Assault** when any sexually abusive behavior is initiated by a staff member toward one or more inmates. It is also considered Staff-on-Inmate Abuse/Assault if a staff member willingly engages in sexual acts or contacts that are initiated by an inmate.

NOTE: Sexual acts or contacts between two or more inmates, even when no objections are raised, are prohibited acts, and may be illegal. Sexual acts or contacts between an inmate and a staff member, even when no objections are raised by either party, are always forbidden and illegal. Inmates who have been sexual assaulted by another inmate or staff member will not be prosecuted or disciplined for reporting the assault. However, inmates will be penalized for knowingly filing any false report.

Contact Offices

U.S. Department of Justice

Office of the Inspector General
950 Pennsylvania Avenue, NW Suite 4322
Washington, D.C. 20530-0001

Central Office

Federal Bureau of Prisons
320 First Street, NW
Washington, D.C. 20534

Mid-Atlantic Regional Office

302 Sentinel Drive, Suite 200
Annapolis Junction, Maryland 20701

North Central Regional Office

Gateway Complex Tower II, 8th Floor
400 State Avenue
Kansas City, KS 66101-2492

Northeast Regional Office

U.S. Customs House, 7th Floor
2nd and Chestnut Streets
Philadelphia, Pennsylvania 19106

South Central Regional Office

4211 Cedar Springs Road, Suite 300
Dallas, Texas 75219

Southeast Regional Office

3800 North Camp Creek Parkway, SW
Building 2000
Atlanta, GA 30331-5099

Western Regional Office

7338 Shoreline Drive
Stockton, CA 95219